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United Nations

Report of the Human Rights Council

First session
(19-30 June 2006)

First special session
(5-6 July 2006)

Second special session
(11 August 2006)

General Assembly
Official Records
Sixty-first session
Supplement No. 53 (A/61/53)

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Part One

Report of the Human Rights Council on its first session*

* The format of the present report is based on the agenda and programme of work for the first session as adopted by the Council (see annexes I and II below). It should therefore not serve as a precedent for future sessions of the Council.

I. Draft resolutions recommended for adoption by the General Assembly

1. International Convention for the Protection of All Persons from Enforced Disappearance

The General Assembly,

Taking note of Human Rights Council resolution 1/1 of 29 June 2006, by which the Council adopted the International Convention for the Protection of All Persons from Enforced Disappearance,

1. *Hails* the Council's adoption of the International Convention for the Protection of All Persons from Enforced Disappearance;

2. *Adopts* and opens for signature, ratification and accession the International Convention for the Protection of All Persons from Enforced Disappearance, the text of which is annexed to the present resolution;

3. *Recommends* that the Convention be opened for signature at a signing ceremony in Paris.

[See chapter II, sect. A, resolution 1/1, and chapter V.]

2. Working group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994

The General Assembly,

Taking note of Human Rights Council resolution 1/2 of 29 June 2006, by which the Council adopted the text of the United Nations Declaration on the Rights of Indigenous Peoples,

1. *Expresses its appreciation* to the Council for the adoption of the United Nations Declaration on the Rights of Indigenous Peoples;

2. *Adopts* the Declaration as contained in the annex to the present resolution.

[See chapter II, sect. A, resolution 1/2, and chapter V.]

II. Resolutions and decisions adopted by the Council at its first session, as well as President's statements agreed upon by the Council at that session

A. RESOLUTIONS

1/1. International Convention for the Protection of All Persons from Enforced Disappearance

The Human Rights Council,

Recalling General Assembly resolution 47/133 of 18 December 1992, by which the Assembly adopted the Declaration on the Protection of All Persons from Enforced Disappearance as a body of principles for all States,

Also recalling Commission on Human Rights resolution 2001/46 of 23 April 2001 establishing the Inter-sessional open-ended working group to elaborate a draft legally binding normative instrument for the protection of all persons from enforced disappearance, and Commission resolution 2005/27 of 19 April 2005,

Taking note of the report of the Working Group (E/CN.4/2006/57) and the Group's decision to conclude its work and transmit the draft international convention for the protection of all persons from enforced disappearance to the Commission on Human Rights for adoption,

Welcoming the offer by France to host the signing ceremony for the Convention in Paris,

1. *Adopts* the International Convention for the Protection of All Persons from Enforced Disappearance as annexed to this resolution;

2. *Recommends* to the General Assembly adoption of the International Convention for the Protection of All Persons from Enforced Disappearance;

3. *Recommends* that, once adopted by the General Assembly, the Convention be opened for signature at a signing ceremony in Paris;

4. *Recommends* to the General Assembly adoption of the following draft resolution:

[For the text, see chapter I, draft resolution 1.]

21st meeting
29 June 2006

[Resolution adopted without a vote. See chapter V.]

ANNEX

INTERNATIONAL CONVENTION FOR THE PROTECTION OF ALL PERSONS FROM ENFORCED DISAPPEARANCE

PREAMBLE

The States Parties to this Convention,

Considering the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and fundamental freedoms,

Having regard to the Universal Declaration of Human Rights,

Recalling the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the other relevant international instruments in the fields of human rights, humanitarian law and international criminal law,

Also recalling the Declaration on the Protection of All Persons from Enforced Disappearance adopted by the General Assembly of the United Nations in its resolution 47/133 of 18 December 1992,

Aware of the extreme seriousness of enforced disappearance, which constitutes a crime and, in certain circumstances defined in international law, a crime against humanity,

Determined to prevent enforced disappearances and to combat impunity for the crime of enforced disappearance,

Considering the right of any person not to be subjected to enforced disappearance, the right of victims to justice and to reparation,

Affirming the right of any victim to know the truth about the circumstances of an enforced disappearance and the fate of the disappeared person, and the right to freedom to seek, receive and impart information to this end,

Have agreed on the following articles:

PART I

Article 1

1. No one shall be subjected to enforced disappearance.

2. No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification for enforced disappearance.

Article 2

For the purposes of this Convention, "enforced disappearance" is considered to be the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which places such a person outside the protection of the law.

Article 3

Each State Party shall take appropriate measures to investigate acts defined in article 2 committed by persons or groups of persons acting without the authorization, support or acquiescence of the State and to bring those responsible to justice.

Article 4

Each State Party shall take the necessary measures to ensure that enforced disappearance constitutes an offence under its criminal law.

Article 5

The widespread or systematic practice of enforced disappearance constitutes a crime against humanity as defined in applicable international law and shall attract the consequences provided for under such applicable international law.

Article 6

1. Each State Party shall take the necessary measures to hold criminally responsible at least:

(*a*) Any person who commits, orders, solicits or induces the commission of, attempts to commit, is an accomplice to or participates in an enforced disappearance;

(*b*) A superior who:

(i) Knew, or consciously disregarded information which clearly indicated, that subordinates under his or her effective authority and control were committing or about to commit a crime of enforced disappearance;

(ii) Exercised effective responsibility for and control over activities which were concerned with the crime of enforced disappearance; and

(iii) Failed to take all necessary and reasonable measures within his or her power to prevent or repress the commission of an enforced disappearance or to submit the matter to the competent authorities for investigation and prosecution;

(*c*) Subparagraph (*b*) above is without prejudice to the higher standards of responsibility applicable under relevant international law to a military commander or to a person effectively acting as a military commander.

2. No order or instruction from any public authority, civilian, military or other, may be invoked to justify an offence of enforced disappearance.

Article 7

1. Each State Party shall make the offence of enforced disappearance punishable by appropriate penalties which take into account its extreme seriousness.

2. Each State Party may establish:

(*a*) Mitigating circumstances, in particular for persons who, having been implicated in the commission of an enforced disappearance, effectively contribute to bringing the disappeared person forward alive or make it possible to clarify cases of enforced disappearance or to identify the perpetrators of an enforced disappearance;

(*b*) Without prejudice to other criminal procedures, aggravating circumstances, in particular in the event of the death of the disappeared person or the commission of an enforced disappearance in respect of pregnant women, minors, persons with disabilities or other particularly vulnerable persons.

Article 8

Without prejudice to article 5,

1. A State Party which applies a statute of limitations in respect of enforced disappearance shall take the necessary measures to ensure that the term of limitation for criminal proceedings:

(*a*) Is of long duration and is proportionate to the extreme seriousness of this offence;

(*b*) Commences from the moment when the offence of enforced disappearance ceases, taking into account its continuous nature.

2. Each State Party shall guarantee the right of victims of enforced disappearance to an effective remedy during the term of limitation.

Article 9

1. Each State Party shall take the necessary measures to establish its competence to exercise jurisdiction over the offence of enforced disappearance:

(*a*) When the offence is committed in any territory under its jurisdiction or on board a ship or aircraft registered in that State;

(*b*) When the alleged offender is one of its nationals;

(*c*) When the disappeared person is one of its nationals and the State Party considers it appropriate.

2. Each State Party shall likewise take such measures as may be necessary to establish its competence to exercise jurisdiction over the offence of enforced disappearance when the alleged offender is present in any territory under its jurisdiction, unless it extradites or surrenders him or her to another State in accordance with its international obligations or surrenders him or her to an international criminal tribunal whose jurisdiction it has recognized.

3. This Convention does not exclude any additional criminal jurisdiction exercised in accordance with national law.

Article 10

1. Upon being satisfied, after an examination of the information available to it, that the circumstances so warrant, any State Party in whose territory a person suspected of having committed an offence of enforced disappearance is present shall take him or her into custody or take such other legal measures as are necessary to ensure his or her presence. The custody and other legal measures shall be as provided for in the law of that State Party but may be maintained only for such time as is necessary to ensure the person's presence at criminal, surrender or extradition proceedings.

2. A State Party which has taken the measures referred to in paragraph 1 of this article shall immediately carry out a preliminary inquiry or investigations to establish the facts. It shall notify the States Parties referred to in article 9, paragraph 1, of the measures it has taken in pursuance of paragraph 1 of this article, including detention and the circumstances warranting detention, and of the findings of its preliminary inquiry or its investigations, indicating whether it intends to exercise its jurisdiction.

3. Any person in custody pursuant to paragraph 1 of this article may communicate immediately with the nearest appropriate representative of the State of which he or she is a national, or, if he or she is a stateless person, with the representative of the State where he or she usually resides.

Article 11

1. The State Party in the territory under whose jurisdiction a person alleged to have committed an offence of enforced disappearance is found shall, if it does not extradite that person or surrender him or her to another State in accordance with its international obligations or surrender him or her to an international criminal tribunal whose jurisdiction it has recognized, submit the case to its competent authorities for the purpose of prosecution.

2. These authorities shall take their decision in the same manner as in the case of any ordinary offence of a serious nature under the law of that State Party. In the cases referred to in article 9, paragraph 2, the standards of evidence required for prosecution and conviction shall in no way be less stringent than those which apply in the cases referred to in article 9, paragraph 1.

3. Any person against whom proceedings are brought in connection with an offence of enforced disappearance shall be guaranteed fair treatment at all stages of the proceedings. Any person tried for an offence of enforced disappearance shall benefit from a fair trial before a competent, independent and impartial court or tribunal established by law.

Article 12

1. Each State Party shall ensure that any individual who alleges that a person has been subjected to enforced disappearance has the right to report the facts to the competent authorities, which shall examine the allegation promptly and impartially and, where necessary, undertake without delay a thorough and impartial investigation. Appropriate steps shall be taken, where necessary, to ensure that the complainant, witnesses, relatives of the disappeared person and their defence counsel, as well as persons participating in the investigation, are protected against all ill-treatment or intimidation as a consequence of the complaint or any evidence given.

2. Where there are reasonable grounds for believing that a person has been subjected to enforced disappearance, the authorities referred to in paragraph 1 of this article shall undertake an investigation, even if there has been no formal complaint.

3. Each State Party shall ensure that the authorities referred to in paragraph 1 of this article:

(*a*) Have the necessary powers and resources to conduct the investigation effectively, including access to the documentation and other information relevant to their investigation;

(*b*) Have access, if necessary with the prior authorization of a judicial authority, which shall rule promptly on the matter, to any place of detention or any other place where there are reasonable grounds to believe that the disappeared person may be present.

4. Each State Party shall take the necessary measures to prevent and sanction acts that hinder the conduct of an investigation. It shall ensure in particular that persons suspected of having committed an offence of enforced disappearance are not in a position to influence the progress of an investigation by means of pressure or acts of intimidation or reprisal aimed at the complainant, witnesses, relatives of the disappeared person or their defence counsel, or at persons participating in the investigation.

Article 13

1. For the purposes of extradition between States Parties, the offence of enforced disappearance shall not be regarded as a political offence or as an offence connected with a political offence or as an offence inspired by political motives. Accordingly, a request for extradition based on such an offence may not be refused on these grounds alone.

2. The offence of enforced disappearance shall be deemed to be included as an extraditable offence in any extradition treaty existing between States Parties before the entry into force of this Convention.

3. States Parties undertake to include the offence of enforced disappearance as an extraditable offence in any extradition treaty subsequently to be concluded between them.

4. If a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may consider this Convention as the necessary legal basis for extradition in respect of the offence of enforced disappearance.

5. States Parties which do not make extradition conditional on the existence of a treaty shall recognize the offence of enforced disappearance as an extraditable offence between themselves.

6. Extradition shall, in all cases, be subject to the conditions provided for by the law of the requested State Party or by applicable extradition treaties, including, in particular, conditions relating to the minimum penalty requirement for extradition and the grounds upon which the requested State Party may refuse extradition or make it subject to certain conditions.

7. Nothing in this Convention shall be interpreted as imposing an obligation to extradite if the requested State Party has substantial grounds for believing that the request has been made for the purpose of prosecuting or punishing a person on account of that person's sex, race, religion, nationality, ethnic origin, political opinions or membership of a particular social group, or that compliance with the request would cause harm to that person for any one of these reasons.

Article 14

1. States Parties shall afford one another the greatest measure of mutual legal assistance in connection with criminal proceedings brought in respect of an offence of enforced disappearance, including the supply of all evidence at their disposal that is necessary for the proceedings.

2. Such mutual legal assistance shall be subject to the conditions provided for by the domestic law of the requested State Party or by applicable treaties on mutual legal assistance, including, in particular, the conditions in relation to the grounds upon which the requested State Party may refuse to grant mutual legal assistance or may make it subject to conditions.

Article 15

States Parties shall cooperate with each other and shall afford one another the greatest measure of mutual assistance with a view to assisting victims of enforced disappearance, and in searching for, locating and releasing disappeared persons and, in the event of death, in exhuming and identifying them and returning their remains.

Article 16

1. No State Party shall expel, return ("refouler"), surrender or extradite a person to another State where there are substantial grounds for believing that he or she would be in danger of being subjected to enforced disappearance.

2. For the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations, including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant or mass violations of human rights or of serious violations of international humanitarian law.

Article 17

1. No one shall be held in secret detention.

2. Without prejudice to other international obligations of the State Party with regard to the deprivation of liberty, each State Party shall, in its legislation:

(*a*) Establish the conditions under which orders of deprivation of liberty may be given;

(*b*) Indicate those authorities authorized to order the deprivation of liberty;

(*c*) Guarantee that any person deprived of liberty shall be held solely in officially recognized and supervised places of deprivation of liberty;

(*d*) Guarantee that any person deprived of liberty shall be authorized to communicate with and be visited by his or her family, counsel or any other person of his or her choice, subject only to the conditions established by law, or, if he or she is a foreigner, to communicate with his or her consular authorities, in accordance with applicable international law;

(*e*) Guarantee access by the competent and legally authorized authorities and institutions to the places where persons are deprived of liberty, if necessary with prior authorization from a judicial authority;

(*f*) Guarantee that any person deprived of liberty or, in the case of a suspected enforced disappearance, since the person deprived of liberty is not able to exercise this right, any persons with a legitimate interest, such as relatives of the person deprived of liberty, their representatives or their counsel, shall, in all circumstances, be entitled to take proceedings before a court, in order that the court may decide without delay on the lawfulness of the deprivation of liberty and order the person's release if such deprivation of liberty is not lawful.

3. Each State Party shall assure the compilation and maintenance of one or more up-to-date official registers and/or records of persons deprived of liberty, which shall be made promptly available, upon request, to any judicial or other competent authority or institution authorized for that purpose by the law of the State Party concerned or any relevant international legal instrument to which the State concerned is a party. The information contained therein shall include, as a minimum:

(*a*) The identity of the person deprived of liberty;

(*b*) The date, time and place where the person was deprived of liberty and the identity of the authority that deprived the person of liberty;

(*c*) The authority that ordered the deprivation of liberty and the grounds for the deprivation of liberty;

(*d*) The authority responsible for supervising the deprivation of liberty;

(*e*) The place of deprivation of liberty, the date and time of admission to the place of deprivation of liberty and the authority responsible for the place of deprivation of liberty;

(*f*) Elements relating to the state of health of the person deprived of liberty;

(*g*) In the event of death during the deprivation of liberty, the circumstances and cause of death and the destination of the remains;

(*h*) The date and time of release or transfer to another place of detention, the destination and the authority responsible for the transfer.

Article 18

1. Subject to articles 19 and 20, each State Party shall guarantee to any person with a legitimate interest in this information, such as relatives of the person deprived of liberty, their representatives or their counsel, access to at least the following information:

(*a*) The authority that ordered the deprivation of liberty;

(*b*) The date, time and place where the person was deprived of liberty and admitted to the place of deprivation of liberty;

(*c*) The authority responsible for supervising the deprivation of liberty;

(*d*) The whereabouts of the person deprived of liberty, including, in the event of a transfer to another place of deprivation of liberty, the destination and the authority responsible for the transfer;

(*e*) The date, time and place of release;

(*f*) Elements relating to the state of health of the person deprived of liberty;

(*g*) In the event of death during the deprivation of liberty, the circumstances and cause of death and the destination of the remains.

2. Appropriate measures shall be taken, where necessary, to protect the persons referred to in paragraph 1 of this article, as well as persons participating in the investigation, from any ill-treatment, intimidation or sanction as a result of the search for information concerning a person deprived of liberty.

Article 19

1. Personal information, including medical and genetic data, which is collected and/or transmitted within the framework of the search for a disappeared person shall not be used or made available for purposes other than the search for the disappeared person. This is without prejudice to the use of such information in criminal proceedings relating to an offence of enforced disappearance or the exercise of the right to obtain reparation.

2. The collection, processing, use and storage of personal information, including medical and genetic data, shall not infringe or have the effect of infringing the human rights, fundamental freedoms or human dignity of an individual.

Article 20

1. Only where a person is under the protection of the law and the deprivation of liberty is subject to judicial control may the right to information referred to in article 18 be restricted, on an exceptional basis, where strictly necessary and where provided for by law, and if the transmission of the information would adversely affect the privacy or safety of the person, hinder a criminal investigation, or for other equivalent reasons in accordance with the law, and in conformity with applicable international law and with the objectives of this Convention. In no case shall there be restrictions on the right to information referred to in article 18 that could constitute conduct defined in article 2 or be in violation of article 17, paragraph 1.

2. Without prejudice to consideration of the lawfulness of the deprivation of a person's liberty, States Parties shall guarantee to the persons referred to in article 18, paragraph 1, the right to a prompt and effective judicial remedy as a means of obtaining without delay the information referred to in article 18, paragraph 1. This right to a remedy may not be suspended or restricted in any circumstances.

Article 21

Each State Party shall take the necessary measures to ensure that persons deprived of liberty are released in a manner permitting reliable verification that they have actually been released. Each State Party shall also take the necessary measures to assure the physical integrity of such persons and their ability to exercise fully their rights at the time of release, without prejudice to any obligations to which such persons may be subject under national law.

Article 22

Without prejudice to article 6, each State Party shall take the necessary measures to prevent and impose sanctions for the following conduct:

(*a*) Delaying or obstructing the remedies referred to in article 17, paragraph 2 (*f*), and article 20, paragraph 2;

(*b*) Failure to record the deprivation of liberty of any person, or the recording of any information which the official responsible for the official register knew or should have known to be inaccurate;

(*c*) Refusal to provide information on the deprivation of liberty of a person, or the provision of inaccurate information, even though the legal requirements for providing such information have been met.

Article 23

1. Each State Party shall ensure that the training of law enforcement personnel, civil or military, medical personnel, public officials and other persons who may be involved in the custody or treatment of any person deprived of liberty includes the necessary education and information regarding the relevant provisions of this Convention, in order to:

(*a*) Prevent the involvement of such officials in enforced disappearances;

(*b*) Emphasize the importance of prevention and investigations in relation to enforced disappearances;

(*c*) Ensure that the urgent need to resolve cases of enforced disappearance is recognized.

2. Each State Party shall ensure that orders or instructions prescribing, authorizing or encouraging enforced disappearance are prohibited. Each State Party shall guarantee that a person who refuses to obey such an order will not be punished.

3. Each State Party shall take the necessary measures to ensure that the persons referred to in paragraph 1 of this article who have reason to believe that an enforced disappearance has occurred or is planned report the matter to their superiors and, where necessary, to the appropriate authorities or bodies vested with powers of review or remedy.

Article 24

1. For the purposes of this Convention, "victim" means the disappeared person and any individual who has suffered harm as the direct result of an enforced disappearance.

2. Each victim has the right to know the truth regarding the circumstances of the enforced disappearance, the progress and results of the investigation and the fate of the disappeared person. Each State Party shall take appropriate measures in this regard.

3. Each State Party shall take all appropriate measures to search for, locate and release disappeared persons and, in the event of death, to locate, respect and return their remains.

4. Each State Party shall ensure in its legal system that the victims of enforced disappearance have the right to obtain reparation and prompt, fair and adequate compensation.

5. The right to obtain reparation referred to in paragraph 4 of this article covers material and moral damages and, where appropriate, other forms of reparation such as:

(*a*) Restitution;

(*b*) Rehabilitation;

(*c*) Satisfaction, including restoration of dignity and reputation;

(*d*) Guarantees of non-repetition.

6. Without prejudice to the obligation to continue the investigation until the fate of the disappeared person has been clarified, each State Party shall take the appropriate steps with regard to the legal situation of disappeared persons whose fate has not been clarified and that of their relatives, in fields such as social welfare, financial matters, family law and property rights.

7. Each State Party shall guarantee the right to form and participate freely in organizations and associations concerned with attempting to establish the circumstances of enforced disappearances and the fate of disappeared persons, and to assist victims of enforced disappearance.

Article 25

1. Each State Party shall take the necessary measures to prevent and punish under its criminal law:

(*a*) The wrongful removal of children who are subjected to enforced disappearance, children whose father, mother or legal guardian is subjected to enforced disappearance or children born during the captivity of a mother subjected to enforced disappearance;

(*b*) The falsification, concealment or destruction of documents attesting to the true identity of the children referred to in subparagraph (*a*) above.

2. Each State Party shall take the necessary measures to search for and identify the children referred to in paragraph 1 (*a*) of this article and to return them to their families of origin, in accordance with legal procedures and applicable international agreements.

3. States Parties shall assist one another in searching for, identifying and locating the children referred to in paragraph 1 (*a*) of this article.

4. Given the need to protect the best interests of the children referred to in paragraph 1 (*a*) of this article and their right to preserve, or to have re-established, their identity, including their nationality, name and family relations as recognized by law, States Parties which recognize a system of adoption or other form of placement of children shall have legal procedures in place to review the adoption or placement procedure, and, where appropriate, to annul any adoption or placement of children that originated in an enforced disappearance.

5. In all cases, and in particular in all matters relating to this article, the best interests of the child shall be a primary consideration, and a child who is capable of forming his or her own views shall have the right to express those views freely, the views of the child being given due weight in accordance with the age and maturity of the child.

PART II

Article 26

1. A Committee on Enforced Disappearances (hereinafter referred to as "the Committee") shall be established to carry out the functions provided for under this Convention. The Committee shall consist of ten experts of high moral character and recognized competence in the field of human rights, who shall serve in their personal capacity and be independent and impartial. The members of the Committee shall be elected by the States Parties according to equitable geographical distribution. Due account shall be taken of the usefulness of the participation in the work of the Committee of persons having relevant legal experience and of balanced gender representation.

2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties from among their nationals, at biennial meetings of the States Parties convened by the Secretary-General of the United Nations for this purpose. At those meetings, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

3. The initial election shall be held no later than six months after the date of entry into force of this Convention. Four months before the date of each election, the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit nominations within three months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the State Party which nominated each candidate, and shall submit this list to all States Parties.

4. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election once. However, the term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the chairman of the meeting referred to in paragraph 2 of this article.

5. If a member of the Committee dies or resigns or for any other reason can no longer perform his or her Committee duties, the State Party which nominated him or her shall, in accordance with the criteria set out in paragraph 1 of this article, appoint another candidate from among its nationals to serve out his or her term, subject to the approval of the majority of the States Parties. Such approval shall be considered to have been obtained unless half or more of the States Parties respond negatively within six weeks of having been informed by the Secretary-General of the United Nations of the proposed appointment.

6. The Committee shall establish its own rules of procedure.

7. The Secretary-General of the United Nations shall provide the Committee with the necessary means, staff and facilities for the effective performance of its functions. The Secretary-General of the United Nations shall convene the initial meeting of the Committee.

8. The members of the Committee shall be entitled to the facilities, privileges and immunities of experts on mission for the United Nations, as laid down in the relevant sections of the Convention on the Privileges and Immunities of the United Nations.

9. Each State Party shall cooperate with the Committee and assist its members in the fulfilment of their mandate, to the extent of the Committee's functions that the State Party has accepted.

Article 27

A Conference of the States Parties will take place at the earliest four years and at the latest six years following the entry into force of this Convention to evaluate the functioning of the Committee and to decide, in accordance with the procedure described in article 44, paragraph 2, whether it is appropriate to transfer to another body – without excluding any possibility – the monitoring of this Convention, in accordance with the functions defined in articles 28 to 36.

Article 28

1. In the framework of the competencies granted by this Convention, the Committee shall cooperate with all relevant organs, offices and specialized agencies and funds of the United Nations, with the treaty bodies instituted by international instruments, with the special procedures of the United Nations and with the relevant regional intergovernmental organizations or bodies, as well as with all relevant State institutions, agencies or offices working towards the protection of all persons against enforced disappearances.

2. As it discharges its mandate, the Committee shall consult other treaty bodies instituted by relevant international human rights instruments, in particular the Human Rights Committee instituted by the International Covenant on Civil and Political Rights, with a view to ensuring the consistency of their respective observations and recommendations.

Article 29

1. Each State Party shall submit to the Committee, through the Secretary-General of the United Nations, a report on the measures taken to give effect to its obligations under this Convention, within two years after the entry into force of this Convention for the State Party concerned.

2. The Secretary-General of the United Nations shall make this report available to all States Parties.

3. Each report shall be considered by the Committee, which shall issue such comments, observations or recommendations as it may deem appropriate. The comments, observations or recommendations shall be communicated to the State Party concerned, which may respond to them, on its own initiative or at the request of the Committee.

4. The Committee may also request States Parties to provide additional information on the implementation of this Convention.

Article 30

1. A request that a disappeared person should be sought and found may be submitted to the Committee, as a matter of urgency, by relatives of the disappeared person or their legal representatives, their counsel or any person authorized by them, as well as by any other person having a legitimate interest.

2. If the Committee considers that a request for urgent action submitted in pursuance of paragraph 1 of this article:

(*a*) Is not manifestly unfounded;

(*b*) Does not constitute an abuse of the right of submission of such requests;

(*c*) Has already been duly presented to the competent bodies of the State Party concerned, such as those authorized to undertake investigations, where such a possibility exists;

(*d*) Is not incompatible with the provisions of this Convention; and

(*e*) The same matter is not being examined under another procedure of international investigation or settlement of the same nature,

it shall request the State Party concerned to provide it with information on the situation of the persons sought, within a time limit set by the Committee.

3. In the light of the information provided by the State Party concerned in accordance with paragraph 2 of this article, the Committee may transmit recommendations to the State Party, including a request that the State Party should take all the necessary measures, including interim measures, to locate and protect the person concerned in accordance with this Convention and to inform the Committee, within a specified period of time, of measures taken, taking into account the urgency of the situation. The Committee shall inform the person submitting the urgent action request of its recommendations and of the information provided to it by the State as it becomes available.

4. The Committee shall continue its efforts to work with the State Party concerned for as long as the fate of the person sought remains unresolved. The person presenting the request shall be kept informed.

Article 31

1. A State Party may at the time of ratification of this Convention or at any time afterwards declare that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction claiming to be victims of a violation by this State Party of provisions of this Convention. The Committee shall not admit any communication concerning a State Party which has not made such a declaration.

2. The Committee shall consider a communication inadmissible where:

(*a*) The communication is anonymous;

(*b*) The communication constitutes an abuse of the right of submission of such communications or is incompatible with the provisions of this Convention;

(*c*) The same matter is being examined under another procedure of international investigation or settlement of the same nature; or where

(*d*) All effective available domestic remedies have not been exhausted. This rule shall not apply where the application of the remedies is unreasonably prolonged.

3. If the Committee considers that the communication meets the requirements set out in paragraph 2 of this article, it shall transmit the communication to the State Party concerned, requesting it to provide observations and comments within a time limit set by the Committee.

4. At any time after the receipt of a communication and before a determination on the merits has been reached, the Committee may transmit to the State Party concerned for its urgent consideration a request that the State Party will take such interim measures as may be necessary to avoid possible irreparable damage to the victims of the alleged violation. Where the Committee exercises its discretion, this does not imply a determination on admissibility or on the merits of the communication.

5. The Committee shall hold closed meetings when examining communications under the present article. It shall inform the author of a communication of the responses provided by the State Party concerned. When the Committee decides to finalize the procedure, it shall communicate its views to the State Party and to the author of the communication.

Article 32

A State Party to this Convention may at any time declare that it recognizes the competence of the Committee to receive and consider communications in which a State Party claims that another State Party is not fulfilling its obligations under this Convention. The Committee shall not receive communications concerning a State Party which has not made such a declaration, nor communications from a State Party which has not made such a declaration.

Article 33

1. If the Committee receives liable information indicating that a State Party is seriously violating the provisions of this Convention, it may, after consultation with the State Party concerned, request one or more of its members to undertake a visit and report back to it without delay.

2. The Committee shall notify the State Party concerned, in writing, of its intention to organize a visit, indicating the composition of the delegation and the purpose of the visit. The State Party shall answer the Committee within a reasonable time.

3. Upon a substantiated request by the State Party, the Committee may decide to postpone or cancel its visit.

4. If the State Party agrees to the visit, the Committee and the State Party concerned shall work together to define the modalities of the visit and the State Party shall provide the Committee with all the facilities needed for the successful completion of the visit.

5. Following its visit, the Committee shall communicate to the State Party concerned its observations and recommendations.

Article 34

If the Committee receives information which appears to it to contain well-founded indications that enforced disappearance is being practised on a widespread or systematic basis in the territory under the jurisdiction of a State Party, it may, after seeking from the State Party concerned all relevant information on the situation, urgently bring the matter to the attention of the General Assembly of the United Nations, through the Secretary-General of the United Nations.

Article 35

1. The Committee shall have competence solely in respect of enforced disappearances which commenced after the entry into force of this Convention.

2. If a State becomes a party to this Convention after its entry into force, the obligations of that State vis-à-vis the Committee shall relate only to enforced disappearances which commenced after the entry into force of this Convention for the State concerned.

Article 36

1. The Committee shall submit an annual report on its activities under this Convention to the States Parties and to the General Assembly of the United Nations.

2. Before an observation on a State Party is published in the annual report, the State Party concerned shall be informed in advance and shall be given reasonable time to answer. This State Party may request the publication of its comments or observations in the report.

PART III

Article 37

Nothing in this Convention shall affect any provisions which are more conducive to the protection of all persons from enforced disappearance and which may be contained in:

(*a*) The law of a State Party;

(*b*) International law in force for that State.

Article 38

1. This Convention is open for signature by all Member States of the United Nations.

2. This Convention is subject to ratification by all Member States of the United Nations. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

3. This Convention is open to accession by all Member States of the United Nations. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General.

Article 39

1. This Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

2. For each State ratifying or acceding to this Convention after the deposit of the twentieth instrument of ratification or accession, this Convention shall enter into force on the thirtieth day after the date of the deposit of that State's instrument of ratification or accession.

Article 40

The Secretary-General of the United Nations shall notify all States Members of the United Nations and all States which have signed or acceded to this Convention of the following:

(*a*) Signatures, ratifications and accessions under article 38;

(*b*) The date of entry into force of this Convention under article 39.

Article 41

The provisions of this Convention shall apply to all parts of federal States without any limitations or exceptions.

Article 42

1. Any dispute between two or more States Parties concerning the interpretation or application of this Convention which cannot be settled through negotiation or by the procedures expressly provided for in this Convention shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the Parties are unable to agree on the organization of the arbitration, any one of those Parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. A State may, at the time of signature or ratification of this Convention or accession thereto, declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by paragraph 1 of this article with respect to any State Party having made such a declaration.

3. Any State Party having made a declaration in accordance with the provisions of paragraph 2 of this article may at any time withdraw this declaration by notification to the Secretary-General of the United Nations.

Article 43

This Convention is without prejudice to the provisions of international humanitarian law, including the obligations of the High Contracting Parties to the four Geneva Conventions of 12 August 1949 and the two Additional Protocols thereto of 8 June 1977, or to the opportunity available to any State Party to authorize the International Committee of the Red Cross to visit places of detention in situations not covered by international humanitarian law.

Article 44

1. Any State Party to this Convention may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to the States Parties to this Convention with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposal. In the event that within four months from the date of such communication at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations.

2. Any amendment adopted by a majority of two thirds of the States Parties present and voting at the conference shall be submitted by the Secretary-General of the United Nations to all the States Parties for acceptance.

3. An amendment adopted in accordance with paragraph 1 of this article shall enter into force when two thirds of the States Parties to this Convention have accepted it in accordance with their respective constitutional processes.

4. When amendments enter into force, they shall be binding on those States Parties which have accepted them, other States Parties still being bound by the provisions of this Convention and any earlier amendment which they have accepted.

Article 45

1. This Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of this Convention to all States referred to in article 38.

1/2. Working group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994

The Human Rights Council,

Recalling Commission on Human Rights resolution 1995/32 of 3 March 1995, in which it established an open-ended intersessional working group with the sole purpose of elaborating a draft United Nations declaration on the rights of indigenous peoples, considering the draft contained in the annex to resolution 1994/45 of 26 August 1994 of the Sub-Commission on the Promotion and Protection of Human Rights, for consideration and adoption by the General Assembly within the first International Decade of the World's Indigenous People,

Aware that the Working group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994 has held eleven sessions between 1995 and 2006,

Considering that the General Assembly, in its resolution 59/174 of 20 December 2004, urges all parties involved in the process of negotiation to do their utmost to carry out successfully the mandate of the Working Group and to present to the Assembly for adoption as soon as possible a final draft United Nations declaration on the rights of indigenous peoples,

Stressing that paragraph 127 of the outcome document of the 2005 World Summit, adopted by the General Assembly in its resolution 60/1 of 16 September 2005, reaffirms the commitment of the international community to present for adoption a final draft United Nations declaration on the rights of indigenous peoples as soon as possible,

Taking note of the report of the Working Group on its eleventh session (E/CN.4/2006/79), which took place in Geneva from 5 to 16 December 2005 and from 30 January to 3 February 2006,

Welcoming the conclusion of the Chairperson-Rapporteur of the Working Group in paragraph 30 of its report as well as his proposal as contained in annex I to the report,

1. *Adopts* the United Nations Declaration on the Rights of Indigenous Peoples, as contained in the annex to the present resolution, which was proposed by the Chairperson-Rapporteur of the Working group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994 in annex I to the report of the working group on its eleventh session (E/CN.4/2006/79);

2. *Recommends* to the General Assembly the following draft resolution for adoption:

[For the text, see chapter I, draft resolution 2.]

21st meeting
29 June 2006

[Resolution adopted by a recorded vote of 30 votes to 2, with 12 abstentions. The voting was as follows:

In favour: Azerbaijan, Brazil, Cameroon, China, Cuba, Czech Republic, Ecuador, Finland, France, Germany, Guatemala, India, Indonesia, Japan, Malaysia, Mauritius, Mexico, Netherlands, Pakistan, Peru, Poland, Republic of Korea, Romania, Saudi Arabia, South Africa, Sri Lanka, Switzerland, United Kingdom of Great Britain and Northern Ireland, Uruguay, Zambia.

Against: Canada, Russian Federation.

Abstaining: Algeria, Argentina, Bahrain, Bangladesh, Ghana, Jordan, Morocco, Nigeria, Philippines, Senegal, Tunisia, Ukraine.

See chapter V.]

ANNEX

UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

The Human Rights Council,

Affirming that indigenous peoples are equal to all other peoples, while recognizing the right of all peoples to be different, to consider themselves different, and to be respected as such,

Affirming also that all peoples contribute to the diversity and richness of civilizations and cultures, which constitute the common heritage of humankind,

Affirming further that all doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin, racial, religious, ethnic or cultural differences are racist, scientifically false, legally invalid, morally condemnable and socially unjust,

Reaffirming that indigenous peoples, in the exercise of their rights, should be free from discrimination of any kind,

Concerned that indigenous peoples have suffered from historic injustices as a result of, inter alia, their colonization and dispossession of their lands, territories and resources, thus preventing them from exercising, in particular, their right to development in accordance with their own needs and interests,

Recognizing the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources,

Recognizing also the urgent need to respect and promote the rights of indigenous peoples affirmed in treaties, agreements and other constructive arrangements with States,

Welcoming the fact that indigenous peoples are organizing themselves for political, economic, social and cultural enhancement and in order to bring an end to all forms of discrimination and oppression wherever they occur,

Convinced that control by indigenous peoples over developments affecting them and their lands, territories and resources will enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs,

Recognizing that respect for indigenous knowledge, cultures and traditional practices contributes to sustainable and equitable development and proper management of the environment,

Emphasizing the contribution of the demilitarization of the lands and territories of indigenous peoples to peace, economic and social progress and development, understanding and friendly relations among nations and peoples of the world,

Recognizing in particular the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child,

Recognizing that indigenous peoples have the right freely to determine their relationships with States in a spirit of coexistence, mutual benefit and full respect,

Considering that the rights affirmed in treaties, agreements and constructive arrangements between States and indigenous peoples are, in some situations, matters of international concern, interest, responsibility and character,

Considering also that treaties, agreements and other constructive arrangements, and the relationship they represent, are the basis for a strengthened partnership between indigenous peoples and States,

Acknowledging that the Charter of the United Nations, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights affirm the fundamental importance of the right of self-determination of all peoples, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development,

Bearing in mind that nothing in this Declaration may be used to deny any peoples their right of self-determination, exercised in conformity with international law,

Convinced that the recognition of the rights of indigenous peoples in this Declaration will enhance harmonious and cooperative relations between the State and indigenous peoples, based on principles of justice, democracy, respect for human rights, non-discrimination and good faith,

Encouraging States to comply with and effectively implement all their obligations as they apply to indigenous peoples under international instruments, in particular those related to human rights, in consultation and cooperation with the peoples concerned,

Emphasizing that the United Nations has an important and continuing role to play in promoting and protecting the rights of indigenous peoples,

Believing that this Declaration is a further important step forward for the recognition, promotion and protection of the rights and freedoms of indigenous peoples and in the development of relevant activities of the United Nations system in this field,

Recognizing and reaffirming that indigenous individuals are entitled without discrimination to all human rights recognized in international law, and that indigenous peoples possess collective rights which are indispensable for their existence, well-being and integral development as peoples,

Solemnly proclaims the following United Nations Declaration on the Rights of Indigenous Peoples as a standard of achievement to be pursued in a spirit of partnership and mutual respect:

Article 1

Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights law.

Article 2

Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.

Article 3

Indigenous peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 4

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

Article 5

Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their rights to participate fully, if they so choose, in the political, economic, social and cultural life of the State.

Article 6

Every indigenous individual has the right to a nationality.

Article 7

1. Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.

2. Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

Article 8

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.

2. States shall provide effective mechanisms for prevention of, and redress for:

(*a*) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;

(*b*) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;

(*c*) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;

(*d*) Any form of forced assimilation or integration by other cultures or ways of life imposed on them by legislative, administrative or other measures;

(*e*) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

Article 9

Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

Article 10

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

Article 11

1. Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

Article 12

1. Indigenous peoples have the right to manifest, practice, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.

2. States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned.

Article 13

1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

2. States shall take effective measures to ensure this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

Article 14

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.

2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.

3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 15

1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.

2. States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.

Article 16

1. Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.

2. States shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privately-owned media to adequately reflect indigenous cultural diversity.

Article 17

1. Indigenous individuals and peoples have the right to enjoy fully all rights established under applicable international and domestic labour law.

2. States shall in consultation and cooperation with indigenous peoples take specific measures to protect indigenous children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development, taking into account their special vulnerability and the importance of education for their empowerment.

3. Indigenous individuals have the right not to be subjected to any discriminatory conditions of labour and, inter alia, employment or salary.

Article 18

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

Article 19

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

Article 20

1. Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.

2. Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.

Article 21

1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

Article 22

1. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.

2. States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 23

Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.

Article 24

1. Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.

2. Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.

Article 25

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Article 26

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

Article 27

States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

Article 28

1. Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, of a just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.

2. Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.

Article 29

1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

2. States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.

3. States shall also take effective measures to ensure, as needed, that programmes for monitoring, maintaining and restoring the health of indigenous peoples, as developed and implemented by the peoples affected by such materials, are duly implemented.

Article 30

1. Military activities shall not take place in the lands or territories of indigenous peoples, unless justified by a significant threat to relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned.

2. States shall undertake effective consultations with the indigenous peoples concerned, through appropriate procedures and in particular through their representative institutions, prior to using their lands or territories for military activities.

Article 31

1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.

Article 32

1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.

2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of their mineral, water or other resources.

3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.

Article 33

1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.

2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

Article 34

Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards.

Article 35

Indigenous peoples have the right to determine the responsibilities of individuals to their communities.

Article 36

1. Indigenous peoples, in particular those divided by international borders, have the right to maintain and develop contacts, relations and cooperation, including activities for spiritual, cultural, political, economic and social purposes, with their own members as well as other peoples across borders.

2. States, in consultation and cooperation with indigenous peoples, shall take effective measures to facilitate the exercise and ensure the implementation of this right.

Article 37

1. Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements and other constructive arrangements.

2. Nothing in this Declaration may be interpreted as to diminish or eliminate the rights of Indigenous Peoples contained in treaties, agreements and constructive arrangements.

Article 38

States in consultation and cooperation with indigenous peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration.

Article 39

Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration.

Article 40

Indigenous peoples have the right to have access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.

Article 41

The organs and specialized agencies of the United Nations system and other intergovernmental organizations shall contribute to the full realization of the provisions of this Declaration through the mobilization, inter alia, of financial cooperation and technical assistance. Ways and means of ensuring participation of indigenous peoples on issues affecting them shall be established.

Article 42

The United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, and States shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration.

Article 43

The rights recognized herein constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.

Article 44

All the rights and freedoms recognized herein are equally guaranteed to male and female indigenous individuals.

Article 45

Nothing in this Declaration may be construed as diminishing or extinguishing the rights indigenous peoples have now or may acquire in the future.

Article 46

1. Nothing in this Declaration may be interpreted as implying for any State, people, group or person any right to engage in any activity or to perform any act contrary to the Charter of the United Nations.

2. In the exercise of the rights enunciated in the present Declaration, human rights and fundamental freedoms of all shall be respected. The exercise of the rights set forth in this Declaration shall be subject only to such limitations as are determined by law, in accordance with international human rights obligations. Any such limitations shall be non-discriminatory and strictly necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.

3. The provisions set forth in this Declaration shall be interpreted in accordance with the principles of justice, democracy, respect for human rights, equality, non-discrimination, good governance and good faith.

1/3. Open-ended Working Group on an optional protocol to the International Covenant on Economic, Social and Cultural Rights

The Human Rights Council,

Guided by the principles relating to economic, social and cultural rights enshrined in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling that in the Vienna Declaration and Programme of Action adopted in June 1993 by the World Conference on Human Rights (A/CONF.157/24 (Part I), chap. III), the World Conference encouraged the Commission on Human Rights to continue the examination of optional protocols to the International Covenant on Economic, Social and Cultural Rights,

Bearing in mind the discussions held, and the progress made, during the three previous sessions of the Open-ended Working Group on an optional protocol to the International Covenant on Economic, Social and Cultural Rights,

1. *Welcomes* the report of the Working Group (E/CN.4/2006/47);

2. *Decides* to extend the mandate of the Working Group for a period of two years in order to elaborate an optional protocol to the International Covenant on Economic, Social and Cultural Rights and, in this regard, requests the Chairperson of the Working Group to prepare, taking into account all views expressed during the sessions of the Working Group on, inter alia, the scope and application of an optional protocol, a first draft optional protocol, which includes draft provisions corresponding to the various main approaches outlined in her analytical paper, to be used as a basis for the forthcoming negotiations;

3. *Requests* the Working Group to meet for ten working days each year and to report to the Council;

4. *Decides* to invite a representative of the Committee on Economic, Social and Cultural Rights to attend these meetings as a resource person;

5. *Decides* to remain seized of this matter.

21st meeting
29 June 2006

[Resolution adopted without a vote. See chapter V.]

1/4. The right to development

The Human Rights Council,

Guided by the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights as well as the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights,

Recalling also the outcomes of all major United Nations conferences and summits in the economic and social fields,

Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Stressing the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights in June 1993 (A/CONF/157/24 (Part I), chap. III),

Recalling all General Assembly and Commission on Human Rights resolutions on the right to development,

Emphasizing the relevant provisions of General Assembly resolution 60/251 of 15 March 2006 establishing the Human Rights Council,

Welcoming the outcome of the seventh session of the Working Group on the Right to Development of the Commission on Human Rights, held from 9 to 13 January 2006, contained in the report of the Working Group (E/CN.4/2006/26),

Bearing in mind paragraph 6 of General Assembly resolution 60/251,

1. *Endorses* the conclusions and recommendations adopted by consensus by the Working Group on the Right to Development at its seventh session;

2. *Decides* to renew the mandate of the Working Group for a period of one year;

3. *Requests* the high-level task force on the right to development to meet for a period of five working days before the end of 2006 with a view to implementing the relevant recommendations contained in the report of the seventh session of the Working Group;

4. *Requests* the Working Group to meet for a period of five working days in the first three months of 2007;

5. *Requests* the Sub-Commission on the Promotion and Protection of Human Rights, or its successor expert advice mechanism, to pursue its ongoing work on the right to development in accordance with the relevant provisions of General Assembly and Commission on Human Rights resolutions, and in compliance with decisions to be taken by the Human Rights Council;

6. *Requests* the Office of the United Nations High Commissioner for Human Rights to take all the necessary measures and to allocate the necessary resources for the effective implementation of the present resolution;

7. *Decides* to consider the next report of the Working Group at its session in March-April 2007.

22nd meeting
30 June 2006

[Resolution adopted without a vote. See chapter V.]

1/5. Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action

The Human Rights Council,

Recalling General Assembly resolution 56/266 of 27 March 2002 by which it endorsed the Durban Declaration and Programme of Action) adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (A/CONF.189/12 and Corr.1, chap. I), held in Durban, South Africa, from 31 August to 8 September 2001,

Recalling also Commission on Human Rights resolutions 2001/5 of 18 April 2001, 2002/68 of 25 April 2002, 2003/30 of 23 April 2003, 2005/64 of 20 April 2005 and all relevant resolutions of the Commission,

1. *Endorses* the conclusions and recommendations contained in the report of the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action on its fourth session (E/CN.4/2006/18);

2. *Requests* the Office of the United Nations High Commissioner for Human Rights to select, in close consultations with the regional groups, five highly qualified experts to study the content and scope of the substantive gaps in the existing international instruments to combat racism, racial discrimination, xenophobia and related intolerance, including but not limited to the areas identified in the conclusions of the Chair of the high-level seminar that took place during the fourth session of the Intergovernmental Working Group; the group of experts, in consultation with human rights treaty bodies, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and other relevant mandate holders should produce a base document that contains concrete recommendations on the means or avenues to bridge these gaps, including but not limited to the drafting of a new optional protocol to the International Convention on the Elimination of All Forms of Racial Discrimination or the adoption of new instruments such as conventions or declarations;

3. *Requests* the Committee on the Elimination of Racial Discrimination to conduct a further study on possible measures to strengthen the implementation of the Convention through additional recommendations or the update of its monitoring procedures;

4. *Decides* that both documents should be presented to the Intergovernmental Working Group at its fifth session;

5. *Decides also* to extend the mandate of the Intergovernmental Working Group for a further period of three years;

6. *Decides further* to remain seized of the issue of racism, racial discrimination, xenophobia and related intolerance at its second session in September 2006.

24th meeting
30 June 2006

[Adopted without a vote. See chapter V.]

B. DECISIONS

1/101. Titles of officers

At its 1st meeting, on 19 June 2006, the Human Rights Council decided, without a vote, that its officers would be known as President and Vice-President.

[See chapter III.]

1/102. Extension by the Human Rights Council of all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights

At its 23rd meeting, on 30 June 2006, the Human Rights Council adopted, without a vote, the following text:

"*The Human Rights Council*,

"*Bearing in mind* General Assembly resolution 60/251 of 15 March 2006, entitled "Human Rights Council", and in particular its paragraph 6,

"*Stressing* the importance of avoiding any protection gap during the transitional period, in accordance with paragraph 6 of that General Assembly resolution,

"1. *Decides* to extend exceptionally for one year, subject to the review to be undertaken by the Council in conformity with General Assembly resolution 60/251, the mandates and the mandate holders of all the special procedures of the Commission on Human Rights, of the Sub-Commission on the Promotion and Protection of Human Rights as well as the procedure established in accordance with Economic and Social Council resolution 1503 (XLVIII) of 27 May 1970, as listed in the annex to the present decision;

"2. *Requests*, in this regard, the special procedures, the Sub-Commission on the Promotion and Protection of Human Rights and the procedure established in accordance with Economic and Social Council resolution 1503 (XLVIII) to continue with the implementation of their mandates and the Office of the United Nations High Commissioner for Human Rights to continue to provide the necessary support to them;

"3. *Decides* to approve the following arrangements for the transitional period:

"(*a*) To consider at its next session the reports of all special procedures submitted to the sixty-second session of the Commission on Human Rights;

"(*b*) That the final session of the Sub-Commission on the Promotion and Protection of Human Rights shall be convened starting 31 July 2006 for a period of up to four weeks, if so decided by the Sub-Commission, including its pre-sessional and in-sessional working groups, and shall give due priority to preparing:

(i) A paper on the Sub-Commission's record that gives its own vision and recommendations for future expert advice to the Council, to be submitted to the Council in 2006;

(ii) A detailed list describing the status of all the Sub-Commission's ongoing studies as well as an overall review of its activities, to be submitted to the Council in 2006;

"4. *Also decides* that the working groups and the Social Forum of the Sub-Commission shall be convened to hold their annual sessions in accordance with current practices in order to contribute to the Sub-Commission's paper as described in paragraph 3 (*b*) (i) above;

"5. *Further decides* to consider at its next session all outstanding reports referred to it by the Commission on Human Rights."

[See chapter V.]

"ANNEX

"Implementation of General Assembly resolution 60/251: extension by the Human Rights Council of all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights

" COMMISSION ON HUMAN RIGHTS

"Intergovernmental working group established to make recommendations with a view to the effective implementation of the Durban Declaration and Programme of Action

"Independent expert appointed by the Secretary-General on the situation of human rights in Haiti

"Independent expert appointed by the Secretary-General on the situation of human rights in Somalia

"Independent expert on the situation of human rights in Burundi

"Independent expert on technical cooperation and advisory services in Liberia

"Independent expert on the situation of human rights in the Democratic Republic of the Congo

"Independent expert on the situation of human rights in Uzbekistan (procedure established in accordance with Economic and Social Council resolution 1503 (XLVIII))

"Independent expert on human rights and international solidarity

"Independent expert on minority issues

"Independent expert on the effects of economic reform policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights

"Independent expert on the question of human rights and extreme poverty

"Personal Representative of the United Nations High Commissioner for Human Rights on the situation of human rights in Cuba

"Special Rapporteur on the situation of human rights in the Sudan

"Special Rapporteur on the situation of human rights in Myanmar

"Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea

"Special Rapporteur on the situation of human rights in Belarus

"Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967[a]

"Special Rapporteur on adequate housing as a component of the right to an adequate standard of living

"Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

"Special Rapporteur on extrajudicial, summary or arbitrary executions

"Special Rapporteur on freedom of religion or belief

"Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights

"Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children

"Special Rapporteur on the human rights of migrants

"Special Rapporteur on the independence of judges and lawyers

"Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

"Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

"Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

"Special Rapporteur on the right to education

"Special Rapporteur on the right to food

"Special Rapporteur on the sale of children, child prostitution and child pornography

"Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people

"Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

"Special Rapporteur on violence against women, its causes and consequences

"Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises

"Special Representative of the Secretary-General for human rights in Cambodia

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[a] The duration of this mandate has been established until the end of the occupation (see Commission on Human Rights resolution 1993/2 of 12 February 1993).

"Special Representative of the Secretary-General on the situation of human rights defenders

"Representative of the Secretary-General on human rights of internally displaced persons

"Working Group of Experts on People of African Descent

"Working Group on Arbitrary Detention

"Working Group on Enforced or Involuntary Disappearances

"Working group on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

"Working Group on Communications of the Sub-Commission on the Promotion and Protection of Human Rights

"Working Group on Situations

"SUB-COMMISSION ON THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

"Special Rapporteur entrusted with preparing a detailed study on the difficulties of establishing guilt and/or responsibilities with regard to crimes of sexual violence

"Special Rapporteur to conduct a detailed study of discrimination in the criminal justice system

"Special Rapporteur to conduct a detailed study of the universal implementation of international human rights treaties

"Special Rapporteur to prepare a comprehensive study on corruption and its impact on the full enjoyment of human rights, in particular economic, social and cultural rights

"Special Rapporteur to undertake a study on human rights and the human genome

"Special Rapporteur to undertake a study on non-discrimination as enshrined in article 2, paragraph 2, of the International Covenant on Economic, Social and Cultural Rights

"Special Rapporteur with the task of preparing a comprehensive study on the prevention of human rights violations committed with small arms and light weapons

"Special Rapporteurs with the task of preparing a comprehensive study on discrimination based on work and descent

"Social Forum

"Working Group on Contemporary Forms of Slavery

"Working Group on Indigenous Populations

"Working Group on Minorities"

1/103. Universal periodic review

At its 22nd meeting, on 30 June 2006, the Human Rights Council adopted, without a vote, the following text:

"*The Human Rights Council*,

"*Bearing in mind* General Assembly resolution 60/251 of 15 March 2006 entitled "Human Rights Council" and in particular the decision of the Assembly that the Council shall undertake a universal periodic review, based on objective and reliable information, of the fulfilment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States,

"*Taking into consideration* that the review shall be a cooperative mechanism, based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity-building needs and that such a mechanism shall complement and not duplicate the work of treaty bodies,

"*Bearing in mind* that members of the Council shall be reviewed under the universal periodic review mechanism during their term of membership,

"*Bearing in mind also* that the General Assembly decided that the Council shall develop the modalities and necessary time allocation for the universal periodic review mechanism within one year after the holding of its first session, as called for in resolution 60/251,

"*Underlining* the importance of a comprehensive implementation of General Assembly resolution 60/251,

"1. *Decides* to establish an intersessional open-ended intergovernmental working group to develop the modalities of the universal periodic review mechanism;

"2. *Decides* that the Working Group shall have at its disposal ten days (or twenty 3-hour meetings) of fully serviced meetings and that it shall allow sufficient time and flexibility for the development of the universal periodic review mechanism;

"3. *Requests* the President of the Council to chair the Working Group with the assistance, if necessary, of one or more facilitators from among permanent missions in Geneva, to undertake these open-ended, intersessional, transparent, well-scheduled and inclusive consultations with the participation of all stakeholders;

"4. *Decides* that informal consultations could begin immediately through an open-ended consultative process in order to compile proposals and relevant information and experiences, to facilitate open-ended discussions appropriately scheduled by the Chairperson with the involvement of all stakeholders;

"5. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the Working Group with background information on existing mechanisms for periodic review, for example, of the Council of Europe, the International Atomic Energy Agency, the International Labour Organization, the International

Monetary Fund, the New Partnership for Africa's Development, the Organization for Economic Cooperation and Development, the Organization of American States and the World Trade Organization) and to compile the contributions of all stakeholders;

"6. *Requests* the Working Group to report regularly to the Council starting in September 2006 on progress made in the development of modalities and necessary time allocation for the universal periodic review, as requested by the General Assembly in paragraphs 5 (*e*) and 9 of its resolution 60/251."

[See chapter V.]

1/104. Implementation of paragraph 6 of General Assembly resolution 60/251

At its 23rd meeting, on 30 June 2006, the Human Rights Council adopted, without a vote, the following text:

"*The Human Rights Council*,

"*Underlining* the importance of a comprehensive implementation of General Assembly resolution 60/251 of 15 March 2006,

"1. *Decides* to establish an open-ended intergovernmental working group to formulate concrete recommendations on the issue of reviewing and, where necessary, improving and rationalizing all mandates, mechanisms, functions and responsibilities in order to maintain a system of special procedures, expert advice and a complaint procedure, in conformity with General Assembly resolution 60/251, through open-ended, intersessional, transparent, well-scheduled and inclusive consultations, with the participation of all stakeholders;

"2. *Decides* that the Working Group shall have at its disposal twenty days (or forty 3-hour meetings) of fully serviced meetings and that it shall allow sufficient time and flexibility for the fulfilment of its mandate;

"3. *Requests* the President of the Council to chair the Working Group with the assistance, if necessary, of one or more facilitators from among permanent missions in Geneva, to undertake these open-ended, intersessional, transparent, well-scheduled and inclusive consultations with the participation of all stakeholders;

"4. *Decides* that informal consultations could begin immediately through an open-ended consultative process in order to compile proposals and relevant information and experiences, and to facilitate open-ended discussions appropriately scheduled by the Chairperson with the involvement of all stakeholders;

"5. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the Working Group with background information on the functioning of the mandates and mechanisms and to compile the contributions of all stakeholders, including the inputs of the special procedures, the Sub-Commission for the Promotion and Protection of Human Rights and non-governmental organizations;

"6. *Requests* the Working Group to report to it regularly, starting in September 2006, on progress made to allow for the completion of the review, as requested in paragraph 6 of General Assembly resolution 60/251."

[See chapter V.]

1/105. Draft framework for a programme of work of the Human Rights Council for the first year

At its 24th meeting, on 30 June 2006, the Human Rights Council decided, without a vote, to adopt the draft framework for a programme of work of the Council for the first year – which is annexed to the present decision – taking into account the transitional character of that period.

[See chapter VI.]

ANNEX

Draft framework for a programme of work

Second session September/October 2006 (Three weeks) 18 September–6 October	**Third session November/December 2006 (Two weeks) 27 November–8 December**	**Fourth session March/April 2007 (Four weeks) 12 March–6 April**
1. Reports of mechanisms and mandates		
Reports of the special procedures in accordance with Council decision 1/102. Interactive dialogues (Order/grouping of reports to be decided in an orderly and non-selective manner).		New reports of the special procedures. Interactive dialogues (Order/grouping of reports to be decided in an orderly and non-selective manner).
Reports, studies and other documents prepared by the secretariat, the United Nations High Commissioner for Human Rights, her Office or the Secretary-General requested by the Commission on Human Rights.		
Reports of the Sub-Commission on the Promotion and Protection of Human Rights.		
Reports of the procedure established in accordance with Economic and Social Council resolution 1503 (XLVIII).		

2. Review and institution-building		
Progress reports of intersessional mechanisms on, inter alia: (*a*) Universal periodic review; (*b*) Review of mandates, mechanisms, functions and responsibilities.	Progress reports and further discussion or decisions on intersessional mechanisms on, inter alia: (*a*) Universal periodic review; (*b*) Review of mandates, mechanisms, functions and responsibilities. Methods of work. Agenda.	Decisions on: (*a*) Universal periodic review; (*b*) Review of mandates, mechanisms, functions and responsibilities. Methods of work. Agenda.
3. Other substantive issues		
Update by the United Nations High Commissioner for Human Rights.	Update by the United Nations High Commissioner for Human Rights.	(*a*) Annual report by the United Nations High Commissioner for Human Rights; (*b*) Interactive dialogue with the High Commissioner on reporting.
Other issues related to the promotion and protection of human rights, including initiatives/issues/decisions/ resolutions by delegations to be communicated through the secretariat, if possible, a minimum of 15 days in advance of the session.	Other issues related to the promotion and protection of human rights, including initiatives/ issues/decisions/resolutions by delegations to be communicated through the secretariat, if possible, a minimum of 15 days in advance of the session.	Other issues related to the promotion and protection of human rights, including initiatives/issues/decisions/ resolutions by delegations to be communicated through the secretariat, if possible, a minimum of 15 days in advance of the session.

1/106. Human rights situation in Palestine and other occupied Arab territories

At its 24th meeting, on 30 June 2006, the Human Rights Council adopted, by a recorded vote of 29 votes to 12, with 5 abstentions, the following text:

"*The Human Rights Council*,

"*Taking into account* the statements made during its first session concerning the human rights situation in Palestine and other occupied Arab territories,

"1. *Requests* the relevant special rapporteurs to report to the next session of the Council on the Israeli human rights violations in occupied Palestine;

"2. *Decides* to undertake substantive consideration of the human rights violations and implications of the Israeli occupation of Palestine and other occupied Arab territories at its next session and to incorporate this issue in following sessions."

[See chapter V.]

1/107. Incitement to racial and religious hatred and the promotion of tolerance

At its 24th meeting, on 30 June 2006, the Human Rights Council, taking into account the statements made during its first session expressing deep concern over the increasing trend of defamation of religions, incitement to racial and religious hatred and its recent manifestations, decided, by a recorded vote of 33 votes to 12, with one abstention, to request the Special Rapporteur on freedom of religion or belief and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance as well as the United Nations High Commissioner for Human Rights to report to its next session on this phenomenon, in particular its implications for article 20, paragraph 2, of the International Covenant on Civil and Political Rights.

[See chapter V.]

C. President's statements agreed upon by the Council at its first session

1/PRST/1. Entry into force of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

At the first session of the Human Rights Council, held from 19 to 30 June 2006, in connection with the Council's consideration of the item entitled "Implementation of General Assembly resolution 60/251 of 15 March 2006 entitled 'Human Rights Council'", the President of the Council made a statement which:

1. Welcomed the entry into force, on 22 June 2006, of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, following ratification by twenty States;

2. Reiterated General Assembly resolution 60/148 of 16 December 2005, which, inter alia, "calls upon States parties to give early consideration to signing and ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which provides further measures for use in the fight against and prevention of torture and other cruel, inhuman or degrading treatment or punishment";

3. Requested the Secretary-General to ensure, within the overall budgetary framework of the United Nations, the provision of adequate staff and facilities for the bodies and mechanisms involved in combating torture and assisting victims of torture commensurate with the strong support expressed by Member States for combating torture and assisting victims of torture.

[See chapter V.]

1/PRST/2. Hostage-taking

At the first session of the Human Rights Council, held from 19 to 30 June 2006, in connection with the Council's consideration of the item entitled "Implementation of General Assembly resolution 60/251 of 15 March 2006 entitled 'Human Rights Council'", the President of the Council made a statement which:

1. Reaffirmed that all acts of hostage-taking, wherever and by whomever committed, are a serious crime aimed at the destruction of human rights and are, under any circumstances, unjustifiable;

2. Strongly condemned all acts of hostage-taking anywhere in the world, in particular the most recent acts of hostage-taking, including the murder of four diplomats of the Embassy of the Russian Federation in Baghdad, as well as other cases of hostage-taking involving civilians in Iraq;

3. Reaffirmed that hostage-taking calls for concerted efforts on the part of all States and the international community, acting in full compliance with international humanitarian law and international human rights standards, in order to bring such abhorrent practices to an end.

[See chapter V.]

III. Election of officers; adoption of the agenda and organization of the work of the session

A. Opening and duration of the session

1. The Human Rights Council held its first session at the United Nations Office at Geneva from 19 to 30 June 2006 (see also paragraphs 22-23 below). It held 24 meetings (see A/HRC/1/SR.1-24)[1] during the session.

2. The session was opened by the President of the General Assembly at its sixtieth session, Mr. Jan Eliasson.

3. At the 1st meeting, on 19 June 2006, the Secretary-General of the United Nations, Mr. Kofi Annan, made a statement.

4. At the same meeting, at the 10th meeting on 23 June 2006, and at the 20th meeting on 29 June, Ms. Louise Arbour, United Nations High Commissioner for Human Rights, made statements.

5. Also at the 1st meeting, Ms. Wangari Maathai, Nobel Peace Prize Laureate for 2004, made a statement.

B. Attendance

6. The session was attended by representatives of States members of the Council, observers for non-member States of the Council, observers for non-member States of the United Nations and other observers, as well as observers for United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations. An attendance list is given in annex IV to the present report.

C. Election of officers

7. At the informal consultations on preparations for the first session of the Council, held on 18 May 2006, the States members of the Council agreed on the following statement in connection with the election of officers:

> We agree to the designation of the first Chair of the Human Rights Council to be from the Group of Latin American and Caribbean States.
>
> We agree that the Bureau will comprise one Chair and four Vice-Chairs, on the basis of equitable geographical distribution, with one Vice-Chair also acting as Rapporteur.
>
> The Chair-designate, as a matter of priority and expeditiously, will hold consultations on the remaining related issues, inter alia, the principle of geographic rotation for the Council's Chair from four regional groups, other than the Group of Latin American and Caribbean States, starting from next year.

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[1] Summary records of each of the meetings are subject to correction. They are considered final with the issuance of a consolidated corrigendum (A/HRC/1/SR.1-24/Corrigendum).

8. At its 1st meeting, on 19 June 2006, the Council decided that its officers would be known as President and Vice-President (see chapter II, section B, decision 1/101, above). At the same meeting, the Council, on the basis of the above agreement, elected the following officers by acclamation:

President:	Mr. Luis Alfonso de Alba (Mexico)
Vice-Presidents:	Mr. Tomáš Husák (Czech Republic) Mr. Mohammed Loulichki (Morocco) Mr. Blaise Godet (Switzerland)
Vice-President and Rapporteur:	Mr. Musa Burayzat (Jordan)

9. At the same meeting, a statement in connection with the election of officers was made by the representative of Brazil (on behalf of the Group of Latin American and Caribbean States).

10. Also at the same meeting, the President of the Human Rights Council made a statement.

D. High-level segment

11. At the first session, the following guest speakers addressed the Council during the high-level segment:

(*a*) At the 2nd meeting, on 19 June 2006: Ms. Micheline Calmy-Rey, Federal Councillor, Head of the Federal Department of Foreign Affairs of Switzerland; Mr. Francisco Santos Calderón, Vice-President of Colombia; Ms. María Teresa Fernández de la Vega, First Vice-President and Minister of the Presidency of Spain; Mr. K. P. Sharma Oli, Deputy Prime Minister and Minister for Foreign Affairs of Nepal; Ms. Ursula Plassnik, Federal Minister for Foreign Affairs of Austria (on behalf of the European Union, acceding and candidate countries); Mr. Jorge Taiana, Minister for Foreign Affairs, International Trade and Worship of Argentina; Mr. Peter MacKay, Minister for Foreign Affairs of Canada; Mr. Bernard Bot, Minister for Foreign Affairs of the Netherlands; Ms. Paulina Veloso, Minister-Secretary General of the Presidency of Chile; Mr. Erkki Tuomioja, Minister for Foreign Affairs of Finland; and Mr. Mihai-Razvan Ungureanu, Minister for Foreign Affairs of Romania;

(*b*) At the 3rd meeting, on the same day: Mr. Mahinda Samarasinghe, Minister of Disaster Management and Human Rights of Sri Lanka; Mr. Jean Asselborn, Deputy Prime Minister, Minister for Foreign Affairs and Immigration of Luxembourg; Mr. Pierre Claver Maganga Moussavou, Minister of State and Minister for Rebuilding and Human Rights of Gabon; Mr. Vuk Drašković, Minister for Foreign Affairs of Serbia; Mr. Philippe Douste-Blazy, Minister for Foreign Affairs of France; Mr. Mohamed Bouzoubaa, Minister of Justice of Morocco; Mr. Celso Amorim, Minister for Foreign Affairs of Brazil; Mr. Frank-Walter Steinmeier, Federal Minister for Foreign Affairs of Germany; Mr. Ban Ki-moon, Minister for Foreign Affairs and Trade of the Republic of Korea; in connection with whose statement, at the 5th meeting, on 20 June, a statement in exercise of the equivalent of the right of reply was made by the observer for the Democratic People's Republic of Korea; Mr. Anand Sharma, Minister of State for External Affairs of India; Ms. Rita Kieber-Beck, Minister for Foreign Affairs of Liechtenstein; Mr. Nana Akufo-Addo, Minister for Foreign Affairs of Ghana; Mr. Oluyemi Adeniji, Minister for Foreign Affairs of

Nigeria; Mr. Madan Murlidhar Dulloo, Minister for Foreign Affairs, International Trade and Cooperation of Mauritius; Mr. Ahmad Shabery Cheek, Parliamentary Secretary, Ministry of Foreign Affairs of Malaysia; Mr. Theodore Kassimis, Deputy Minister for Foreign Affairs of Greece; Mr. Fuad Hasanović, Deputy Minister for Foreign Affairs of The former Yugoslav Republic of Macedonia; Mr. Gianni Vernetti, Secretary of State for Foreign Affairs of Italy; Ms. Belela Herrera, Vice-Minister for Foreign Affairs of Uruguay; Ms. Akiko Yamanaka, Vice-Minister for Foreign Affairs of Japan; in connection with whose statement, at the 5th meeting, a statement in exercise of the equivalent of the right of reply was made by the observer for the Democratic People's Republic of Korea, followed by a statement in exercise of the right of reply made by the representative of Japan, in connection with whose statement a second statement in exercise of the equivalent of the right of reply was made by the observer for the Democratic People's Republic of Korea, followed by a second statement in exercise of the right of reply by the representative of Japan; Mr. Bernardo Ivo Cruz, Deputy Under-Secretary of State for Foreign Affairs of Portugal;

(*c*) At the 4th meeting, on 20 June 2006: Mr. Ivailo Kalfin, Deputy Prime Minister and Minister for Foreign Affairs of Bulgaria; Mr. Ian McCartney, Minister of State responsible for Human Rights, Foreign and Commonwealth Office of the United Kingdom of Great Britain and Northern Ireland; Mr. Juli Minoves, Minister for Foreign Affairs, Culture and Cooperation of Andorra; Ms. Kolinda Grabar-Kitarović, Minister for Foreign Affairs and European Integration of Croatia; Mr. Felipe Pérez Roque, Minister for Foreign Affairs of Cuba; in connection with whose statement, at the 5th meeting, on the same day, a statement in exercise of the right of reply was made by the observer for the United States of America, in connection with which a statement in exercise of the same right was made by the representative of Cuba; Mr. Urmas Paet, Minister for Foreign Affairs of Estonia; Mr. Zola Sidney Themba Skweyiya, Minister of Social Development of South Africa; Mr. Turki Bin Khalid Al-Sudairy, President of the Human Rights Commission of Saudi Arabia; Mr. Noel Treacy, Minister of State of Ireland; Mr. Borys Tarasyuk, Minister for Foreign Affairs of Ukraine; Ms. Khadiga Ahmad Al-Haisami, Minister for Human Rights of Yemen; Mr. Sid'Ahmed Ould El Bou, Commissioner for Human Rights, the Fight against Poverty and for Integration of Mauritania; Mr. Mohammed Ali Al Mardi, Minister of Justice and Chairman of the Advisory Council for Human Rights of the Sudan; Mr. Mladen Ivanić, Minister for Foreign Affairs of Bosnia and Herzegovina; Mr. Abdelwaheb Abdallah, Minister for Foreign Affairs of Tunisia; and Mr. Nyan Win, Minister for Foreign Affairs of Myanmar;

(*d*) At the 5th meeting, on the same day: Mgr. Giovanni Lajolo, Secretary for Relations with States of the Holy See; Ms. Marie-Madeleine Kalala, Minister for Human Rights of the Democratic Republic of the Congo; Ms. Ana Pessoa, Minister for State Administration of Timor-Leste; Ms. María del Refugio González, Deputy Minister for Foreign Affairs responsible for Multilateral Affairs and Human Rights of Mexico; Mr. Sotos Zackheos, Vice-Minister for Foreign Affairs of Cyprus; in connection with whose statement, at the 8th meeting, on 22 June 2006, a statement in exercise of the equivalent of the right of reply was made by the observer for Turkey, in connection with which a statement in exercise of the same right was made by the observer for Cyprus, followed by a second statement by the observer for Turkey in exercise of the same right, and a second statement by the observer for Cyprus in exercise of the same right; Mr. Yang Jiechi, Vice-Minister for Foreign Affairs of China; Mr. Alexandre V. Yakovenko, Deputy Minister for Foreign Affairs of the Russian Federation; Mr. Janusz Stańczyk, Under-Secretary of State, Ministry for Foreign Affairs of Poland;

Mr. Mahmud Mammad-Quliyev, Deputy Minister for Foreign Affairs of Azerbaijan; in connection with whose statement, at the 6th meeting, on 21 June 2006, a statement in exercise of the equivalent of the right of reply was made by the observer for Armenia; Ms. Marta Altolaguirre Larraondo, Under-Secretary for Cooperation, Secretariat of Planning and Programming of Guatemala; Mr. Oskaras Jusys, Secretary of the Ministry for Foreign Affairs of Lithuania; and Mr. Le Van Bang, Deputy Minister, Ministry of Foreign Affairs of Viet Nam;

(*e*) At the 6th meeting, on 21 June 2006: Ms. Esperança Machavela, Minister of Justice of Mozambique; Mr. Moses Refiloe Masemene, Minister of Justice, Human Rights and Rehabilitation and of Law and Constitutional Affairs of Lesotho; Mr. Patrick Anthony Chinamasa, Minister of Justice, Legal and Parliamentary Affairs of Zimbabwe; Mr. Mohammed Bedjaoui, Minister of State and Minister for Foreign Affairs of Algeria; Ms. Françoise Ngendahayo, Minister for National Solidarity, Human Rights and Gender of Burundi; Mr. Ahmed Shaheed, Minister for Foreign Affairs of the Maldives; Ms. Edda Mukabagwiza, Minister of Justice of Rwanda; Mr. Francisco Carrión Mena, Minister for Foreign Affairs of Ecuador; Mr. Vartan Oskanian, Minister for Foreign Affairs of Armenia; in connection with whose statement a statement in exercise of the right of reply was made by the representative of Azerbaijan; Mr. George Manjgaladze, Deputy Minister for Foreign Affairs of Georgia; Mr. Raymond Johansen, State Secretary, Ministry of Foreign Affairs of Norway; Mr. Jaroslav Bašta, First Deputy Minister for Foreign Affairs of the Czech Republic; Ms. Edith Harxhi, Deputy Minister for Foreign Affairs of Albania; Mr. Shaikh Abdulaziz Bin Mubarak Al Khalifa, Deputy Minister for Foreign Affairs of Bahrain; Mr. Anthony Abela, Parliamentary Secretary, Office of the Prime Minister of Malta; and Mr. Michael Zilmer-Johns, State Secretary for Foreign and Security Policy, European Union Policy and Coordination of Denmark;

(*f*) At the 8th meeting, on 22 June 2006: Mr. Dimitrij Rupel, Minister for Foreign Affairs of Slovenia (also on behalf of the Human Security Network); Ms. Mame Bassine Niang, Minister and High Commissioner for Human Rights and the Promotion of Peace of Senegal; Mr. Gabriel Entcha-Ebia, Minister of Justice and Human Rights of Congo; Mr. N. Hassan Wirajuda, Minister for Foreign Affairs of Indonesia; Mr. Manouchehr Mottaki, Minister for Foreign Affairs of the Islamic Republic of Iran; Mr. Alberto G. Romulo, Secretary for Foreign Affairs of the Philippines; Ms. Massan Loretta Acouetey, Minister for Human Rights, Democracy and Reconciliation of Togo; Mr. Joseph Dion Ngute, Minister Delegate in charge of the Commonwealth, Ministry for Foreign Affairs of Cameroon; Ms. Mary Pili Hernández, Vice-Minister for Foreign Affairs of the Bolivarian Republic of Venezuela; and Mr. Anders B. Johnsson, Secretary General of the Inter-Parliamentary Union.

E. General segment

12. At the 7th meeting, on 21 June 2006, the Council heard statements during its general segment by the following:

(*a*) Representatives of States members of the Council: Jordan, Mali, Pakistan (on behalf of the Organization of the Islamic Conference) and Peru. In connection with the

statement made by the representative of Pakistan (on behalf of the Organization of the Islamic Conference), a statement in exercise of the right of reply was made by the representative of India. This was followed by a statement in exercise of the same right by the representative of Pakistan, and by a second statement by the representative of India in exercise of the same right;

(*b*) Observers for non-member States: Australia, Bhutan, Costa Rica, Democratic People's Republic of Korea, Egypt, Iraq, Lebanon, Libyan Arab Jamahiriya, New Zealand, Singapore, Slovakia, Sweden, Syrian Arab Republic, Thailand and the United States of America;

(*c*) Observers for intergovernmental organizations: African Union, International Organization of la Francophonie, League of Arab States and the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe;

(*d*) Observers for United Nations entities, specialized agencies and related organizations: International Labour Organization, Office of the United Nations High Commissioner for Refugees, United Nations Children's Fund, United Nations Educational, Scientific and Cultural Organization and the World Bank;

(*e*) Other observer: Order of Malta;

(*f*) Other participants: Chairperson of the United Nations Permanent Forum on Indigenous Issues, Ms. Victoria Tauli-Corpuz; independent expert to direct an in-depth study of the question of violence against children, Mr. Paulo Sérgio Pinheiro; Special Adviser to the Secretary-General on Gender Issues and Advancement of Women, Ms. Rachel Mayanja.

F. Other statements

13. At the 8th meeting, on 22 June 2006, the Vice-Chairperson of the International Coordinating Committee of National Human Rights Institutions, Mr. Javier Moctezuma Barragán, made a statement.

14. At the same meeting, the following speakers designated by non-governmental organizations also made statements: Ms. Sunila Abyesekera, Ms. Nataša Kandić, Ms. Marta Ocampo de Vásquez and Mr. Arnold Tsunga.

15. Also at the same meeting, the Council, at the proposal of the President, observed a minute of silence in honour of the victims of all forms of human rights violations in all regions of the world.

G. Adoption of the agenda

16. At the 9th meeting, on 22 June 2006, the Council considered the draft agenda drawn up by the President for the first session.

17. The agenda was adopted without a vote. For the text as adopted, see annex I to the present report.

H. Organization of work

18. The Council considered the organization of its work at its 9th meeting, on 22 June 2006, and at its 11th meeting, on 23 June.

19. At its 11th meeting, the Council considered the programme of work for its first session.

20. The programme of work was adopted without a vote. For the text as adopted, see annex II to the present report.

21. At the same meeting, the Council considered the modalities for time management during its first session on the understanding that such modalities shall be applied on an interim basis and shall not serve as a precedent for future sessions.

I. Meetings and documentation

22. As indicated in paragraph 1 above, the Council held 24 fully serviced meetings.

23. The 1st meeting on 19 June 2006, the 13th meeting on 26 June, the 16th meeting on 27 June, and the 23rd meeting on 30 June, were additional meetings without additional financial implications.

24. The draft resolutions recommended by the Council for adoption by the General Assembly are contained in chapter I of the present report.

25. The texts of the resolutions and decisions adopted by the Council at its first session, as well as the President's statements agreed upon by consensus, are contained in chapter II.

26. Annex I contains the agenda of the first session of the Council, as adopted.

27. Annex II contains the programme of work for the first session of the Council, as adopted.

28. Annex III contains the estimated administrative and programme budget implications of Council resolutions and decisions adopted at its first session, as well as the President's statements agreed upon by the Council by consensus.

29. Annex IV contains the list of speakers in the debate on agenda items 1 to 6.

30. Annex V contains the list of documents issued for the first session of the Council.

IV. Report of the United Nations High Commissioner for Human Rights

31. The Council considered agenda item 3 at its 10th meeting, on 23 June 2006.[2]

32. At the same meeting, the United Nations High Commissioner for Human Rights, Ms. Louise Arbour, made a statement in connection with her report prepared for the sixty-second session of the Commission on Human Rights (E/CN.4/2006/10 and Add.1 and Add.1/Corr.2 and Add.2, as well as E/CN.4/2006/119).

33. In the ensuing exchange of views, statements were made and questions posed to the High Commissioner, to which she responded, by representatives of the following States:

(*a*) Argentina, Austria[3] (on behalf of the European Union), Canada, China, Finland, Guatemala, India, Indonesia, Japan, Jordan, Mexico, Morocco, Netherlands, Pakistan (on behalf of the Organization of the Islamic Conference), Peru, Poland, Republic of Korea, Russian Federation, Sri Lanka, Switzerland, United Kingdom of Great Britain and Northern Ireland, Uruguay;

(*b*) Observers for the following States or parties: Belgium, Democratic People's Republic of Korea, Iran (Islamic Republic of), Norway, Sudan, Syrian Arab Republic, Thailand, United States of America, Uzbekistan; Palestine;

(*c*) Observers for the following non-governmental organizations: Consultative Council of Jewish Organizations, International Commission of Jurists, International Service for Human Rights.

34. At the same meeting, the High Commissioner made her concluding remarks.

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[2] See footnote 1 above (chap. III, para. 1).

[3] Observer State of the Council speaking on behalf of one or more States members.

V. Implementation of General Assembly resolution 60/251 of 15 March 2006 entitled "Human Rights Council"

35. The Council considered agenda item 4 at its 11th meeting on 23 June 2006, at its 12th to 14th meetings on 26 June, at its 15th to 17th meetings on 27 June, at its 18th to 19th meetings on 28 June, at its 20th to 21st meetings on 29 June, and at its 22nd to 24th meetings, on 30 June.[4]

A. Exchange of views with the Chairperson of the Coordination Committee of special procedures, the Vice-Chairperson of the fifty-seventh session of the Sub-Commission on the Promotion and Protection of Human Rights, and the Chairperson of the eighteenth meeting of the chairpersons of the human rights treaty bodies

36. At the 11th meeting, on 23 June 2006, the Chairperson of the Coordination Committee of special procedures, Mr. Vitit Muntarbhorn, the Chairperson of the eighteenth meeting of the chairpersons of the human rights treaty bodies, Ms. Christine Chanet, and the Vice-Chairperson of the fifty-seventh session of the Sub-Commission on the Promotion and Protection of Human Rights, Mr. Ibrahim Salama, made statements.

37. In the ensuing exchange of views, the representatives of the following States made statements and posed questions to the speakers, to which they responded:

(*a*) Algeria, Argentina, Austria[5] (on behalf of the European Union, acceding countries - Bulgaria and Romania, candidate countries – Croatia, The former Yugoslav Republic of Macedonia and Turkey, as well as countries in the process of stabilization and association and potential candidates – Albania, Bosnia and Herzegovina and Serbia, and the Republic of Moldova and Ukraine aligned themselves with the statement), Brazil, Canada, Cuba, Finland, Indonesia, Japan, Mexico, Pakistan, Philippines, Republic of Korea, Russian Federation, Senegal, Switzerland;

(*b*) The observer for Chile;

(*c*) Observers for the following non-governmental organizations: Amnesty International (also on behalf of Human Rights Watch, the International Federation of Human Rights Leagues and the International Service for Human Rights), International Federation of University Women, International Women's Rights Action Watch, Minnesota Advocates for Human Rights and World Organization against Torture (also on behalf of the Association for the Prevention of Torture and International Federation of Human Rights Leagues).

38. At the same meeting, the Chairperson of the eighteenth meeting, the Chairperson of the Coordination Committee and the Vice-Chairperson of the fifty-seventh session of the Sub-Commission made their concluding remarks.

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[4] See footnote 1 above (chap. III, para. 1).

[5] See footnote 3 above (para. 33).

B. Discussion on issues identified by the President on the basis of consultations with States members and observer States of the Council, including the situation of human rights in Palestine and the other occupied Arab territories; support for the Darfur Peace Agreement: backing efforts for the strengthening of the promotion and protection of human rights; avoiding incitement to hatred and violence for reasons of religion or race through the promotion of tolerance and dialogue; the human rights of migrants in the context of the High-Level Dialogue on International Migration and Development to be held at the sixty-first session of the General Assembly in September 2006; and the role of human rights defenders in promoting and protecting human rights

39. At its 12th and 13th meetings, on 26 June 2006, the Council held a discussion on issues identified by the President on the basis of consultations with States members and observer States of the Council. Statements were made by the following:

(*a*) Representatives of States members of the Council: Algeria (on behalf of the Group of African States), Argentina, Austria[6] (on behalf of the European Union), Azerbaijan, Bahrain, Bangladesh, Brazil, Canada, China, Cuba, France, Germany, India, Indonesia, Japan, Jordan, Malaysia, Mali, Mexico, Morocco, Netherlands, Pakistan (on behalf of the Organization of the Islamic Conference), Peru, Philippines, Saudi Arabia, Senegal, South Africa, Sri Lanka, Switzerland, Tunisia (also on behalf of the Group of Arab States), United Kingdom of Great Britain and Northern Ireland;

(*b*) Observers for concerned States or parties: Israel, Lebanon, Sudan, Syrian Arab Republic; Palestine;

(*c*) Observers from the following States: Chile, Egypt, Iran (Islamic Republic of), Iraq, Kuwait, Libyan Arab Jamahiriya, Nepal, Nicaragua, Norway, Qatar, Spain, Sweden, United Arab Emirates and United States of America;

(*d*) Observers for the following non-governmental organizations: Asian Forum for Human Rights and Development (also on behalf of Asia Pacific Forum on Women, Law and Development, Centre for Organization, Research and Education and International Women's Rights Action Watch), Association for World Education (also on behalf of World Union for Progressive Judaism), Baha'i International Community, B'nai B'rith International (also on behalf of the Coordinating Board of Jewish Organizations, the Dzeno Association, the Indian Social Institute, the International Association of Jewish Lawyers and Jurists, the S.M. Sehgal Foundation, United Nations Watch, Women's International Zionist Organizations and the World Union for Progressive Judaism), Colombian Commission of Jurists, Human Rights Advocates, Inc., International Association of Democratic Lawyers, International Federation of Human Rights Leagues (also on behalf of Human Rights Watch, the International Commission of Jurists

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[6] Ibid.

and the World Organization against Torture),), International Humanist and Ethical Union, International Service for Human Rights; International Women's Rights Action Watch, Movement against Racism and for Friendship among Peoples, Union de l'Action Féminine, World Federation of United Nations Associations.

40. At the 13th meeting, on the same day, statements in exercise of the right of reply or of the equivalent of the right of reply were made by the representatives of Algeria and Cuba, and the observers for Colombia, the Democratic People's Republic of Korea, the Islamic Republic of Iran, the Sudan, the Syrian Arab Republic, Uzbekistan, as well as Palestine.

C. Consideration of the report of the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action

41. At the 13th meeting, on 26 June 2006, the Chairperson-Rapporteur of the Intergovernmental working group established to make recommendations with a view to the effective implementation of the Durban Declaration and Programme of Action, Mr. Juan Martabit, presented the report of the Working Group prepared for the sixty-second session of the Commission on Human Rights (E/CN.4/2006/18).

42. In the ensuing discussion, and also at the 14th meeting, on the same day, statements were made by the following:

(*a*) Representatives of States members of the Council: Algeria (on behalf of the Group of African States), Argentina, Austria[7] (on behalf of the European Union, acceding countries – Bulgaria and Romania, candidate countries – Croatia, The former Yugoslav Republic of Macedonia and Turkey, as well as countries in the process of stabilization and association and potential candidates – Albania, Bosnia and Herzegovina and Serbia, aligned themselves with the statement), Azerbaijan, Brazil (also on behalf of the Group of Latin American and Caribbean States), Cameroon, China, Cuba, Mexico, Morocco, Pakistan (on behalf of the members of the Organization of the Islamic Conference that are States members of the Council), Poland, Russian Federation; Senegal, South Africa, Switzerland, Uruguay;

(*b*) Observers for the Islamic Republic of Iran and the United States of America;

(*c*) Observers for the following non-governmental organizations: Movement against Racism and for Friendship among Peoples and Women's International League for Peace and Freedom (also on behalf of Interfaith International, International Youth and Student Movement for the United Nations, Movement against Racism and for Friendship among Peoples), North South XXI.

43. At the 14th meeting, on the same day, the Chairperson-Rapporteur of the Working Group made his concluding remarks.

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[7] Ibid.

D. Consideration of the report of the Working Group on the Right to Development

44. At the 14th meeting, on 26 June 2006, the Chairperson-Rapporteur of the Open-ended working group established to monitor and review progress made in the promotion and implementation of the right to development, Mr. Ibrahim Salama, presented the report of the Working Group prepared for the sixty-second session of the Commission on Human Rights (E/CN.4/2006/26).

45. In the ensuing discussion, and also at the 15th meeting, on 27 June 2006, statements were made by:

(*a*) Representatives of States members of the Council: Algeria, Argentina, Austria[8] (on behalf of the European Union, acceding countries – Bulgaria and Romania, candidate countries – Croatia, The former Yugoslav Republic of Macedonia and Turkey, as well as countries in the process of stabilization and association and potential candidates – Albania, Bosnia and Herzegovina and Serbia, aligned themselves with the statement), Bangladesh, Brazil (also on behalf of the Group of Latin American and Caribbean States), China, Cuba, Indonesia, Malaysia (on behalf of the Non-Aligned Movement and China), Morocco, Nigeria, Pakistan (on behalf of the members of the Organization of the Islamic Conference that are States members of the Council), Philippines, Poland, Russian Federation, Senegal, South Africa and Zambia;

(*b*) Observers States for: Luxembourg, Thailand, United States of America;

(*c*) Observers for the following non-governmental organizations: Europe – Third World Centre, Franciscans International and Indian Movement Tupaj Amaru;

(*d*) Observer for the following national human rights institution: National Human Rights Commission of India.

46. At the 15th meeting, on 27 June, the Chairperson-Rapporteur of the Working Group made his concluding remarks.

E. Consideration of the report of the Open-ended Working Group established with a view to considering options regarding the elaboration of an optional protocol to the International Covenant on Economic, Social and Cultural Rights

47. At the 15th meeting, on 27 June 2006, the Chairperson-Rapporteur of the Open-ended working group established with a view to considering options regarding the elaboration of an optional protocol to the International Covenant on Economic, Social and Cultural Rights, Ms. Catarina de Albuquerque, presented the report of the Working Group prepared for the sixty-second session of the Commission on Human Rights (E/CN.4/2006/47).

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[8] Ibid.

48. In the ensuing discussion, statements were made by the following:

(*a*) Representatives of States members of the Council: Algeria (on behalf of the Group of African States), Argentina, Austria[9] (on behalf of the European Union, acceding countries – Bulgaria and Romania, candidate countries – Croatia, The former Yugoslav Republic of Macedonia and Turkey, as well as countries in the process of stabilization and association and potential candidates – Albania, Bosnia and Herzegovina and Serbia, and the Republic of Moldova and Ukraine, aligned themselves with the statement), Azerbaijan, Brazil (also on behalf of the Group of Latin American and Caribbean States), Guatemala, India, Indonesia, Japan, Mexico, Morocco, Netherlands, Peru, Philippines, Republic of Korea, Russian Federation, Senegal, South Africa; Switzerland, United Kingdom of Great Britain and Northern Ireland, Uruguay

(*b*) Observers for the following States: Australia, Belgium, Chile, Iran (Islamic Republic of), Portugal, Spain, United States of America;

(*c*) Observers for the following non-governmental organizations: FoodFirst Information and Action Network (also on behalf of Amnesty International, Centre on Housing Rights and Evictions, Franciscans International; International Commission of Jurists, International Federation of Human Rights Leagues and International Women's Rights Action Watch), Europe – Third World Centre, Permanent Assembly for Human Rights and Union de l'Action Féminine.

49. At the same meeting, the Chairperson-Rapporteur of the Working Group made her concluding remarks.

50. At the 16th meeting, on the same day, a statement in exercise of the right of reply was made by the representative of Algeria.

F. Consideration of the report of the Inter-sessional open-ended working group to elaborate a draft legally binding normative instrument for the protection of all persons from enforced disappearance

51. At the 15th meeting, on 27 June 2006, the Chairperson-Rapporteur of the Inter-sessional open-ended working group to elaborate a draft legally binding normative instrument for the protection of all persons from enforced disappearance, Mr. Bernard Kessedjian, presented the report of the Working Group prepared for the sixty-second session of the Commission on Human Rights (E/CN.4/2006/57).

52. In the ensuing discussion, and also at the 16th meeting, on the same day, statements were made by the following:

(*a*) Representatives of States members of the Council: Algeria, Argentina, Austria[10] (on behalf of the European Union, acceding countries – Bulgaria and Romania, candidate

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[9] Ibid.

[10] Ibid.

countries – Croatia, The former Yugoslav Republic of Macedonia and Turkey, as well as countries in the process of stabilization and association and potential candidates – Albania, Bosnia and Herzegovina and Serbia, countries of the European Free Trade Association – Iceland and Liechtenstein – and the Republic of Moldova and Ukraine, aligned themselves with the statement), Azerbaijan, Bangladesh, Brazil (also on behalf of the Group of Latin American and Caribbean States), Cameroon, China, Cuba, Ecuador, France, Guatemala, India, Indonesia, Japan, Mexico, Morocco, Pakistan, Russian Federation, Senegal and Uruguay;

(*b*) Observers for the following States: Belgium, Bolivia, Chile, Costa Rica, Greece, Spain, United States of America;

(*c*) Observer for the International Committee of the Red Cross;

(*d*) Observers for the following non-governmental organizations: Families of Victims of Involuntary Disappearance, Latin American Federation of Associations of Relatives of Disappeared Detainees (also on behalf of Amnesty International, Human Rights Watch, the International Commission of Jurists, the International Federation of Human Rights Leagues and the International Service for Human Rights), Permanent Assembly for Human Rights, Philippine Human Rights Information Center (also on behalf of the Asian Forum for Human Rights and Development, the Humanist Committee on Human Rights, the International NGO Forum on Indonesian Development and Non-Violence International), Union de l'Action Féminine, World Federation of United Nations Associations;

(*e*) Observer for the following national human rights institution: Consultative Council on Human Rights of Morocco.

53. At the 16th meeting, on the same day, the Chairperson-Rapporteur of the Working Group made his concluding remarks.

54. At the 17th meeting, also on the same day, a statement in exercise of the right of reply was made by the representative of the Philippines.

G. Consideration of the report of the Open-ended inter-sessional working group to elaborate a draft United Nations declaration on the rights of indigenous peoples

55. At the 17th meeting, on 27 June 2006, the Chairperson-Rapporteur of the Open-ended working group to elaborate a draft United Nations declaration on the rights of indigenous peoples, Mr. Luis-Enrique Chávez, presented the report of the Working Group prepared for the sixty-second session of the Commission on Human Rights (E/CN.4/2006/79).

56. In the ensuing discussion, statements were made by the following:

(*a*) Representatives of States members of the Council: Algeria (on behalf of the Group of African States), Austria[11] (on behalf of the European Union, acceding countries – Bulgaria and Romania, candidate countries – Croatia, The former Yugoslav Republic of

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[11] Ibid.

Macedonia and Turkey, as well as countries in the process of stabilization and association and potential candidates – Albania, Bosnia and Herzegovina and Serbia, and Liechtenstein – as a country of the European Free Trade Association – and the Republic of Moldova, aligned themselves with the statement), Bangladesh, Brazil (also on behalf of the Group of Latin American and Caribbean States), Cameroon, Canada, China, Cuba, Ecuador, Finland (on behalf of the Nordic States and Estonia), France, Guatemala, India, Japan, Mexico, Peru, Philippines, Russian Federation, South Africa, Uruguay;

(*b*) Observers for the following States: Australia (also on behalf of New Zealand and the United States of America), Bolivia, Chile, Congo, Iran (Islamic Republic of), Panama, Spain;

(*c*) Observers for the following non-governmental organizations: Amnesty International (also on behalf of Action Canada for Population and Development, Agir ensemble pour les droits de l'homme, Cultural Survival, Friends World Committee for Consultation (Quakers), Indigenous Peoples' Centre for Documentation, Research and Information, Initiative Locale pour le Développement Integré, International Centre for Human Rights and Democratic Development (Rights and Democracy), International Commission of Jurists, International Federation of Human Rights Leagues, International Service for Human Rights, International Work Group for Indigenous Affairs, Netherlands Centre for Indigenous Peoples),[12] Asociación Kunas Unidos por Napguana, Association of Indigenous Peoples of the North, Siberia and Far East of the Russian Federation, Foundation for Aboriginal and Islander Research Action, Indian Council of South America, Indian Law Resource Centre, Indian Movement Tupaj Amaru, International Human Rights Association of American Minorities, International Organization of Indigenous Resources Development (on behalf of the North American Regional Caucus of Indigenous Peoples), International Service for Human Rights, International Work Group on Indigenous Affairs), Inuit Circumpolar Conference (also on behalf of the Saami Council), Juridical Commission for Auto-Development of First Andean Peoples, Tebtebba Foundation (Indigenous Peoples' International Centre for Policy Research and Education).

57. At the same meeting, the Chairperson-Rapporteur of the Working Group made his concluding remarks.

H. Universal periodic review mechanism

58. At the 18th meeting, on 28 June 2006, the Council held a discussion on the universal periodic review mechanism. Statements were made by the following:

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[12] Statement supported by the following non-governmental organizations: Adivasi-Koordination, African Regional Caucus of Indigenous Peoples, Almáciga Grupo de Trabajo Intercultural, ARC International, Arctic Regional Caucus of Indigenous Peoples, Asian Regional Caucus of Indigenous Peoples, Asociación para la Cooperación con el Sur – Las Segovias, City Green Solutions, Coalition for Global Warming Solutions and Environmental Awareness, FERN, Forum Human Rights, Global Citizen Center, Global Exchange, Hawaii Institute for Human Rights, IBIS, Insamlingsstiftelsen Ett klick för skogen, International Volunteerism Organization for Women, Education and Development – VIDES, KAIROS – Canadian Ecumenical Justice Initiatives, KWIA – Flemish Support Group for Indigenous Peoples, Ligue des droits et libertés, MiningWatch Canada, Mugarik Gabe, North American Regional Caucus of Indigenous Peoples, Ontario Public Interest Research Group, Pacific Regional Caucus of Indigenous Peoples, Rainforest Action Network, Robin Wood, Russian Regional Caucus of Indigenous Peoples.

(*a*) Representatives of States members of the Council: Algeria (on behalf of the Group of African States) Austria[13] (on behalf of the European Union, acceding countries – Bulgaria and Romania, candidate countries – Croatia, The former Yugoslav Republic of Macedonia and Turkey, as well as countries in the process of stabilization and association and potential candidates – Albania, Bosnia and Herzegovina and Serbia, and the Republic of Moldova and Ukraine aligned themselves with the statement), Azerbaijan, Bangladesh, Brazil, Canada (also on behalf of Australia and New Zealand), China; Cuba, Ghana, India, Indonesia, Japan, Malaysia, Mexico, Pakistan (on behalf of the Organization of the Islamic Conference), Philippines, Poland, Republic of Korea, Romania, Russian Federation, South Africa, Sri Lanka, Switzerland, Ukraine, Uruguay and Zambia;

(*b*) Observers from the following States: Armenia, Bhutan, Chile, Colombia, Côte d'Ivoire, Iran (Islamic Republic of), Liechtenstein, Nepal, Singapore, Thailand, The former Yugoslav Republic of Macedonia, United States of America, Viet Nam;

(*c*) Observers for the following non-governmental organizations: Asian Forum for Human Rights and Development (also on behalf of Ain o Salish Kendro (ASK) Law and Mediation Centre, Asian Legal Resource Centre and International NGO Forum on Indonesian Development), Human Rights Watch (also on behalf of the International Commission of Jurists, the International Federation of Human Rights Leagues, the International Service for Human Rights and the World Organization against Torture), International Women's Rights Action Watch, and Movement against Racism and for Friendship among Peoples;

(*d*) Observer for the following national human rights institution: Commission on Human Rights of the Philippines (also on behalf of the Consultative Council on Human Rights of Morocco, the Mexican National Commission for Human Rights, and the National Consultative Commission for Human Rights of France, on behalf of the European Group of National Human Rights Institutions).

I. Review of mandates and mechanisms

59. At the 19th meeting, on 28 June 2006, the Council held a discussion on the review of all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights pursuant to paragraph 6 of General Assembly resolution 60/251 of 15 March 2006. Statements were made by the following:

(*a*) Representatives of States members of the Council: Algeria (on behalf of the Group of African States), Argentina, Austria[14] (on behalf of the European Union, acceding countries – Bulgaria and Romania, candidate countries – Croatia, The former Yugoslav Republic of Macedonia and Turkey, as well as countries in the process of stabilization and association and

[13] See footnote 3 above (para. 33).

[14] Ibid.

potential candidates – Albania, Bosnia and Herzegovina and Serbia, and Liechtenstein – as a country of the European Free Trade Association, and the Republic of Moldova and Ukraine), Brazil, China, Cuba, Indonesia, Japan, Malaysia, New Zealand[15] (also on behalf of Australia and Canada), Peru, Russian Federation, Switzerland and Tunisia;

(*b*) Observers for the following States: Chile, Colombia, Democratic People's Republic of Korea, Iran (Islamic Republic of), Norway, Singapore, Thailand, United States of America;

(*c*) Observers for the following non-governmental organizations: Amnesty International, Human Rights Watch (also on behalf of the International Federation of Human Rights Leagues), Indian Movement Tupaj Amaru; International Indian Treaty Council (also on behalf of the Foundation for Aboriginal and Islander Research Action and the Indigenous World Association), International League for the Rights and Liberation of Peoples, International Organization of Indigenous Resources Development (also on behalf of Asociación Kunas Unidos por Napguana, the Foundation for Aboriginal and Islander Research Action, the Indigenous World Association, the International Indian Treaty Council, the Juridical Commission for Auto-Development of First Andean Peoples and the Saami Council), Women's International League for Peace and Freedom (also on behalf of the Asian Forum for Human Rights and Development, the International Federation of University Women, Minnesota Advocates for Human Rights, Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs and International Movement of Catholic Students), Union de l'action féminine, the World Federation of United Nations Associations and the World Young Women's Christian Association), World Organization against Torture.

J. Dialogue and cooperation on human rights

60. At the 20th meeting, on 29 June 2006, the Council held a discussion on dialogue and cooperation on human rights, including human rights education and learning, advisory services, technical assistance and capacity-building, pursuant to the tenth preambular paragraph and paragraph 5 (*a*) of General Assembly resolution 60/251 of 15 March 2006.

61. Statements in this connection were made by the United Nations High Commissioner for Human Rights, Ms. Louise Arbour, and the Deputy High Commissioner, Ms. Mehr Khan Williams.

62. Statements were also made by the following:

(*a*) Representatives of States members of the Council: Algeria (on behalf of the Group of African States), Austria[16] (on behalf of the European Union, acceding countries – Bulgaria and Romania, candidate countries – Croatia, The former Yugoslav Republic of Macedonia and Turkey, as well as countries in the process of stabilization and association and

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[15] Observer State of the Council speaking on behalf of a State member and an observer State.

[16] See footnote 3 above (para. 33).

potential candidates – Albania, Bosnia and Herzegovina and Serbia, and the Republic of Moldova aligned themselves with the statement), Canada, Ghana, Guatemala, Indonesia, Japan, Mexico, Republic of Korea, Sri Lanka, Switzerland;

(*b*) Observers for the following States: Colombia, Côte d'Ivoire, Iran (Islamic Republic of), Nepal, Slovenia, Sweden, Tanzania, Thailand;

(*c*) Observer for the Holy See;

(*d*) Observer for the United Nations Development Programme;

(*e*) Observers for the following non-governmental organizations: Center for Women's Global Leadership, Ius Primi Viri International Association, Soka Gakkai International (also on behalf of the Institute for Planetary Synthesis, Interfaith International, the International Association for Religious Freedom, the International Association of Gerontology and Geriatrics, the International Council of Jewish Women, the International Council of Women, the International Federation of University Women, the International Movement against All Forms of Discrimination and Racism, International Organization for the Development of Freedom of Education, the Lutheran World Federation, the Pan Pacific and South East Asia Women's Association, Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs and International Movement of Catholic Students), the Planetary Association for Clean Energy, Servas International, the Women's Federation for World Peace International, the Women's World Summit Foundation, the World Federation of Methodist and Uniting Church Women, the World Union of Catholic Women's Organizations, the World Young Women's Christian Association and the Worldwide Organization for Women).

K. Miscellaneous

International Convention for the Protection of All Persons from Enforced Disappearance

63. At the 21st meeting, on 29 June 2006, the representative of France introduced draft resolution A/HRC/1/L.2 sponsored by Andorra, Argentina, Armenia, Austria, Belgium, Bolivia, Cameroon, Chile, Congo, Costa Rica, Cuba, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Ireland, Italy, Latvia, Liechtenstein, Luxembourg, Malta, Mexico, Peru, Portugal, Romania, Slovakia, Slovenia, Spain, Switzerland, Uruguay and Venezuela (Bolivarian Republic of). Azerbaijan, Bosnia and Herzegovina, Brazil, Bulgaria, Croatia, Ecuador, Japan, Lithuania, Mali, Mauritius, Monaco, Morocco, Norway, Panama, Poland, Republic of Korea, Senegal, Serbia, South Africa, Timor-Leste and Ukraine subsequently joined the sponsors.

64. Statements in connection with the draft resolution were made by the representatives of Algeria, Argentina, Finland (on behalf of the European Union, acceding countries – Bulgaria and Romania, candidate countries – Croatia, The former Yugoslav Republic of Macedonia and Turkey, as well as countries in the process of stabilization and association and potential candidates – Albania, Bosnia and Herzegovina and Serbia, countries of the European Free Trade Association – Iceland and Liechtenstein, and the Republic of Moldova and Ukraine), Guatemala, Japan, Peru and the United Kingdom of Great Britain and Northern Ireland.

65. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications[17] of the draft resolution.

66. Statements in explanation of their delegations' position were made by the representatives of Canada, Ecuador and Sri Lanka.

67. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 1/1.

Working group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994

68. At the 21st meeting also, the representative of Peru introduced draft resolution A/HRC/1/L.3 sponsored by Armenia, Benin, Congo, Costa Rica, Cuba, Cyprus, Denmark, Estonia, Finland, France, Greece, Guatemala, Haiti, Lesotho, Mexico, Nicaragua, Norway, Panama, Peru, Portugal, Slovenia, Spain, and Venezuela (Bolivarian Republic of). Andorra, Austria, Bolivia, Cameroon, Croatia, Ecuador, Ethiopia, Honduras, Hungary, Italy, Latvia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malta, Saint Kitts and Nevis, South Africa, Sweden, Switzerland, The former Yugoslav Republic of Macedonia and Timor-Leste subsequently joined the sponsors.

69. Statements in connection with the draft resolution were made by the representatives of Guatemala, Mexico and Switzerland.

70. Statements in explanation of vote before the vote were made by the representatives of Bangladesh, Canada, China, India, Indonesia, the Philippines and the Russian Federation.

71. At the request of the representative of Canada, a recorded vote was taken on the draft resolution, which was adopted by 30 votes to 2, with 12 abstentions (see chapter II, sect. A).

72. Statements in explanation of vote after the vote were made by the representatives of Algeria, Argentina, Brazil, Germany, Japan, Mauritius, Morocco, Ukraine and the United Kingdom of Great Britain and Northern Ireland.

73. The representatives of Bahrain and Jordan stated that their delegations had not intended to participate in the vote.

74. A statement in connection with the resolution was made, on an exceptional basis, by a representative of the Indigenous Peoples Caucus.

75. For the text of the resolution as adopted, see chapter II, section A, resolution 1/2.

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[17] Annex III contains the estimated administrative and programme budget implications of Council resolutions and decisions as well as the President' statements agreed upon by the Council.

Open-ended Working Group on an optional protocol to the International Covenant on Economic, Social and Cultural Rights

76. At the same meeting, the observer for Portugal introduced draft resolution A/HRC/1/L.4/Rev.1, sponsored by Algeria, Angola, Argentina, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cameroon, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cuba, Djibouti, Ecuador, Finland, France, Ghana, Guatemala, Guinea, Italy, Lesotho, Mali, Mauritius, Mexico, Monaco, Morocco, Mozambique, Nigeria, Norway, Panama, Peru, Portugal, Senegal, Serbia, Slovenia, South Africa, Spain, Timor-Leste, Tunisia, Ukraine, Uruguay, Venezuela (Bolivarian Republic of) and Zambia. Armenia, Azerbaijan and the Russian Federation subsequently joined the sponsors.

77. Statements in connection with the draft resolution were made by the representatives of Guatemala and Saudi Arabia.

78. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications[18] of the draft resolution.

79. A statement in explanation of his delegation's position was made by the representative of Canada.

80. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 1/3.

The right to development

81. At the 22nd meeting, on 30 June 2006, the representative of Malaysia introduced draft resolution A/HRC/1/L.7, sponsored by China and Malaysia (on behalf of States Members of the United Nations who are members of the Non-Aligned Movement). Afghanistan, Germany, Ecuador, Lithuania and Uruguay subsequently joined the sponsors.

82. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications[19] of the draft resolution.

83. A statement in explanation of his delegation's position was made by the representative of Canada.

84. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 1/4.

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[18] Ibid.

[19] Ibid.

Extension by the Human Rights Council of all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights

85. At the 23rd meeting, on the same day, the Vice-President, Mr. Blaise Godet (Switzerland), introduced draft decision A/HRC/1/L.6, submitted by the President.

86. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications[20] of the draft decision.

87. Statements in explanation of their delegations' positions were made by the representatives of Canada, China (on behalf of the Like-Minded Group), Cuba, Finland (on behalf of the European Union) and the Russian Federation.

88. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 1/102.

Universal periodic review

89. At the same meeting, the Vice-President, Mr. Mohammed Loulichki (Morocco), introduced and orally revised draft decision A/HRC/1/L.12, submitted by the President.

90. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications[21] of the draft decision.

91. The draft decision, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section B, decision 1/103.

Implementation of paragraph 6 of General Assembly resolution 60/251

92. At the 23rd meeting, on 30 June 2002, the Vice-President, Mr. Tomáš Husák (Czech Republic), introduced and orally revised draft decision A/HRC/1/L.14, submitted by the President.

93. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications[22] of the draft decision.

94. The draft decision, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section B, decision 1/104.

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[20] Ibid.

[21] Ibid.

[22] Ibid.

Entry into force of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

95. At the 24th meeting, on the same day, the President circulated a revised version of draft statement A/HRC/1/L.5 on behalf of the Council.

96. The observer for Denmark orally amended the draft declaration.

97. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications[23] of the President's draft statement.

98. A statement in explanation of his delegation's position was made by the representative of Argentina.

99. The draft statement, as revised and orally amended, was agreed upon by the Council by consensus. For the text as agreed upon, see chapter II, section C, President's statement 1/PRST/1.

Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action

100. At the same meeting, the representative of Algeria introduced draft resolution A/HRC/1/L.8, sponsored by Algeria (on behalf of the Group of African States), Chile, Cuba, Indonesia, Mexico and Uruguay. Azerbaijan, Guatemala, the Islamic Republic of Iran, Peru, the Philippines, Thailand and Timor-Leste subsequently joined the sponsors.

101. A statement in connection with the draft resolution was made by the representative of Canada.

102. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications[24] of the draft resolution.

103. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 1/5.

Hostage-taking

104. At the same meeting, the President circulated a revised version of draft statement A/HRC/1/L.9 on behalf of the Council.

105. The draft statement, as revised, was agreed upon by the Council by consensus. For the text as agreed upon, see chapter II, section C, President's statement 1/PRST/2.

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[23] Ibid.

[24] Ibid.

Human rights situation in Palestine and other occupied Arab territories

106. At the same meeting, the representative of Pakistan (on behalf of the Organization of the Islamic Conference) introduced and orally revised draft decision A/HRC/1/L.15, sponsored by Afghanistan, Algeria, Azerbaijan, Bahrain, Bangladesh, Cuba, Egypt, Indonesia, the Islamic Republic of Iran, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, South Africa, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen. The Bolivarian Republic of Venezuela, Guinea, Iraq and Mali subsequently joined the sponsors.

107. Statements in connection with the draft decision were made by the representative of Tunisia (on behalf of the Group of Arab States), and the observers for Israel, Lebanon, the Syrian Arab Republic as well as Palestine.

108. Statements in explanation of vote before the vote were made by the representatives of Canada (also on behalf of Australia), Finland (on behalf of the members of the European Union that are States members of the Council, and the acceding countries), Guatemala, Romania and the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union).

109. At the request of the representative of Finland (on behalf of the European Union), a recorded vote was taken on the draft decision, as orally revised. The draft decision was adopted by 29 votes to 12, with 5 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Azerbaijan, Bahrain, Bangladesh, Brazil, China, Cuba, Ecuador, Gabon, India, Indonesia, Jordan, Malaysia, Mali, Mauritius, Mexico, Morocco, Pakistan, Peru, Philippines, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Tunisia, Uruguay, Zambia

Against: Canada, Czech Republic, Finland, France, Germany, Japan, Netherlands, Poland, Romania, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Cameroon, Ghana, Guatemala, Nigeria, Republic of Korea.

110. Statements in explanation of vote after the vote were made by the representatives of Argentina, Japan, Switzerland and Uruguay.

111. For the text of the decision as adopted, see chapter II, section B, decision 1/106.

Incitement to racial and religious hatred and the promotion of tolerance

112. At the same meeting, the representative of Pakistan (on behalf of the Organization of the Islamic Conference) introduced and orally revised draft resolution A/HRC/1/L.16, sponsored by Algeria, the Islamic Republic of Iran, Jordan, Lebanon, Malaysia, Morocco, Oman, Pakistan, Qatar, the Sudan and Tunisia. Afghanistan, Azerbaijan, Bahrain, Bangladesh, Colombia, Guinea, Indonesia, and Saudi Arabia subsequently joined the sponsors.

113. Statements in explanation of vote before the vote were made by the representatives of Canada and Finland (on behalf of States members of the European Union that are members of the Council, and acceding country, Romania).

114. At the request of the representative of Canada, a recorded vote was taken on the draft decision, as orally revised. The draft decision was adopted by 33 votes to 12 with one abstention. The voting was as follows:

In favour: Algeria, Argentina, Azerbaijan, Bahrain, Bangladesh, Brazil, Cameroon, China, Cuba, Ecuador, Gabon, Ghana, Guatemala, India, Indonesia, Jordan, Malaysia, Mali, Mauritius, Mexico, Morocco, Nigeria, Pakistan, Peru, Philippines, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Tunisia, Uruguay, Zambia.

Against: Canada, Czech Republic, Finland, France, Germany, Japan, Netherlands, Poland, Romania, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Republic of Korea.

115. For the text of the draft decision as adopted, see chapter II, section B, decision 1/107.

VI. Programme of work for the first year

116. The Council considered agenda item 5 at its 20th meeting, on 29 June 2006, and at its 24th meeting, on 30 June.[25]

117. At the 24th meeting, on 30 June 2006, a statement in this connection and in connection with draft decision A/HRC/1/L.13 submitted by the President on a draft framework for a programme of work of the Council for the first year (see paragraph 119 below) was made by the observer for Norway.

118. Statements were also made by the following:

(*a*) Representatives of States members of the Council: Algeria (on behalf of the Group of African States), Australia[26] (also on behalf of Canada and New Zealand); Austria[27] (on behalf of the European Union, acceding countries – Bulgaria and Romania, candidate countries – Croatia, The former Yugoslav Republic of Macedonia and Turkey, as well as countries in the process of stabilization and association and potential candidates – Albania, Bosnia and Herzegovina and Serbia, and the Republic of Moldova), Cuba, Indonesia, Japan, Mexico, Switzerland;

(*b*) Observers for the Islamic Republic of Iran and the Syrian Arab Republic.

(*c*) Observers for the following non-governmental organizations: Coordinating Board of Jewish Organizations (also on behalf of B'nai B'rith International, the International Association of Jewish Lawyers and Jurists and the Women's International Zionist Organization), Human Rights Watch, Indian Council of Education, International Institute for Non-Aligned Studies, Movement against Racism and for Friendship among Peoples.

Draft framework for a programme of work of the Human Rights Council for the first year

119. At the 24th meeting, on 30 June 2006, the observer for Norway introduced and orally amended draft decision A/HRC/1/L.13, submitted by the President.

120. A statement in explanation of his delegation's position was made by the representative of Finland (on behalf of the European Union).

121. The draft decision, as orally amended, was adopted without a vote. For the text as adopted, see chapter II, section B, decision 1/105.

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[25] See footnote 1 above (chap. III, para. 1).

[26] See footnote 15 above (chap. V, para. 62).

[27] See footnote 3 above (chap. V, para. 33).

VII. Report to the General Assembly on the first session of the Human Rights Council

122. At the 24th meeting, on 30 June 2006, the Rapporteur and Vice-President, Mr. Musa Burayzat (Jordan), introduced the draft report of the Council (A/HRC/1/L.10) containing the proceedings and the texts of the resolutions acted upon as at the conclusion of its 21st meeting, on 29 June 2006.

123. A statement in connection with the draft report, and also in connection with the discussion on issues identified by the President on the basis of consultations with States members and observer States of the Council, held at the 12th and 13th meetings, on 26 June (see also chapter III, sect. B, para. 39, above) was made by the representative of Brazil.

124. The draft report was adopted *ad referendum* on the understanding that the proceedings and all texts of resolutions and decisions adopted, as well as the President's statements agreed upon by the Council by consensus at the first session (A/HRC/1/L.10 and Add.1) would be included in the final report.

125. The Council decided to entrust the Rapporteur with the finalization of the report.

ANNEXES

ANNEX I

Agenda

1. Election of officers.

2. Adoption of the agenda and organization of work.

3. Report of the United Nations High Commissioner for Human Rights.

4. Implementation of General Assembly resolution 60/251 of 15 March 2006 entitled "Human Rights Council".

5. Programme of work for the first year.

6. Report to the General Assembly on the first session of the Council.

ANNEX II

Programme of work for the first session of the Council[a]

		FIRST WEEK	SECOND WEEK
		19 June	**26 June (extended meeting from 9 a.m. to 6 p.m.)**
MONDAY	a.m.	**Inaugural meeting** **Election of officers**	**Implementation of General Assembly resolution 60/251 of 15 March 2006 entitled "Human Rights Council"**
		High-level segment	**Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action**
	p.m.	**High-level segment**	**Working Group on the Right to Development**
		20 June	27 June (extended meeting from 9 a.m. to 6 p.m.)
TUESDAY	a.m.	**High-level segment**	**Open-ended Working Group on an optional protocol to the International Covenant on Economic, Social and Cultural Rights**
			Inter-sessional open-ended working group to elaborate a draft legally binding normative instrument for the protection of all persons from enforced disappearance
	p.m.	**High-level segment**	**Open-ended working group to elaborate a draft United Nations declaration on the rights of indigenous peoples**
		21 June	28 June
WEDNESDAY	a.m.	**High-level segment**	**Universal periodic review mechanism**
	p.m.	**General segment**	**Review of mandates and mechanisms (General Assembly resolution 60/251, para. 6)** **(Extension of all mandates, mechanisms functions and responsibilities of the Commission on Human Rights)**

[a] Adopted by the Council at its 11th meeting, on 23 June 2006.

		FIRST WEEK	SECOND WEEK
		22 June	29 June
THURSDAY	a.m.	**High-level segment**	**Programme of work for future sessions of the Council**
	p.m.	**High-level segment** **Statements by national human rights institutions** **Statements by non-governmental organizations** **Adoption of the agenda and organization of work**	**Dialogue and cooperation on human rights** **(General Assembly resolution 60/251, tenth preambular paragraph and para. 5 (*a*))** **(Human rights education and learning, advisory services, technical assistance and capacity-building)** **Conclusions and recommendations, including interim measures on mechanisms and mandates**
		23 June	30 June (extended meeting from 9 a.m. to 6 p.m.)
FRIDAY	a.m.	**Report of the United Nations High Commissioner for Human Rights**	(*continued*)
		Interactive dialogue with the High Commissioner	(*continued*)
	p.m.	**Chairperson of the Coordination Committee of the special procedures** **Vice-Chairperson of the Sub-Commission on the Promotion and Protection of Human Rights** **Chairperson of the meeting of the chairpersons of the human rights treaty bodies**	(*continued*) **Report of the session**

ANNEX III

Administrative and programme budget implications of resolutions and decisions adopted by the Council at its first session, as well as President's statements agreed upon by the Council by consensus at that session

1/1. International Convention for the Protection of All Persons from Enforced Disappearance

1. In paragraphs 1 and 2 of its resolution 1/1, the Council:

(*a*) Adopted the text of the International Convention on the Protection of all Persons from Enforced Disappearance, as contained in the annex to the resolution; and

(*b*) Recommended the Convention to the General Assembly for adoption at its sixty-first session.

2. In article 26, paragraph 1, of the Convention, it is stated that a Committee on Enforced Disappearances shall be established to carry out the functions provided for in the Convention. It is also stated that the Committee shall consist of 10 experts of high moral character and recognized competence in the field of human rights, who shall serve in their personal capacity and be independent and impartial.

3. As stipulated in article 26, paragraphs 2 and 3, members of the Committee on Enforced Disappearances shall be elected by the States parties to the Convention, and the initial election of members of the Committee shall be held no later than six months after the date of entry into force of the Convention.

4. Article 26, paragraph 7, states that the Secretary-General of the United Nations shall provide the necessary means, staff and facilities for the effective performance of the functions of the Committee. Under article 39, paragraph 1, the terms provide that the Convention shall enter into force on the thirtieth day after the date of deposit of the twentieth instrument of ratification or accession. Subject to the priority that Member States give to the speedy entry into force of the Convention, it is possible to envisage that the entry into force may take place during the 2008-2009 biennium.

5. Should the Convention be adopted by the General Assembly at its sixty-first session, it is not expected that programme budget implications will arise for the 2006-2007 biennium[a] in relation to the Convention. Were the Convention to enter into force during the 2008-2009 biennium, total estimated biennial requirements of US$ 1,880,600 would be as follows:

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[a] See *Official Records of the General Assembly, Sixtieth Session, Supplement No. 6* (A/60/6/Add.1).

	United States dollars
Section 23, Human rights Staff costs, travel requirements for representatives, and staff and daily subsistence allowance	846 700
Section 2, General Assembly and Economic and Social Council affairs and conference management Conference servicing	1 024 000
Section 28 E, Administration, Geneva In connection with conference servicing	9 900
Total	1 880 600

6. The estimate is based on the assumption that the Committee will hold its first organizational meeting in 2008 and that it will hold two sessions in 2009. Other assumptions that guide the estimates include possible decisions of the Committee to plan visits to two States parties in 2009, in accordance with article 33 of the Convention. It is also assumed (on the basis of the experience of the visits carried out by other committees) that each visit will be at least of two weeks' duration, and that it will be carried out by three Committee members accompanied by four staff members and interpreters. The minimum secretariat support needed to provide substantive services to the Committee during the biennium would consist of one P-4 and one P-3 post as well as one General Service (Other Level) post.

7. The requirements are expected to be considered in the context of the proposed programme budget for the 2008-2009 biennium should the terms of paragraph 1 of article 39 be met.

8. Accordingly, no additional appropriation for the 2006-2007 biennium will be required as a result of the adoption of the Convention by the General Assembly.

Summary of possible estimated requirements in the 2008-2009 biennium resulting from resolution 1/1

(United States dollars)

	Budget section	2008 Estimated requirements	2009 Estimated requirements	2008-2009 Total
Conference service costs	2, General Assembly and Economic and Social Council affairs and conference management	338 900	685 100	1 024 000
Conference service costs	28E, Administration, Geneva	3 700	6 200	9 900
Staff costs (one P-4, one P-3 and one General Service)* 1 Three sessions of five working days each	23, Human rights	211 200	211 200	422 400
Travel to Geneva of 10 members (average $5,000)	23, Human rights	50 000	100 000	150 000
Daily subsistence allowance* at $393 per session	23, Human rights	27 500	55 000	82 500

	Budget section	2008 Estimated requirements	2009 Estimated requirements	2008-2009 Total
2. Travel for two field missions per year (10 days each)				
Three Committee members (average of $5,000)	23, Human rights	30 000	30 000	60 000
Daily subsistence allowance Committee members (average of $280)	23, Human rights	23 500	23 500	47 000
Four staff (average of $2,500)	23, Human rights	10 000	10 000	20 000
Four interpreters (average of $2,500)	23, Human rights	10 000	10 000	20 000
Daily subsistence allowance staff (average of $200)	23, Human rights	11 200	11 200	22 400
Daily subsistence allowance interpreters (average of $200)	23, Human rights	11 200	11 200	22 400
Total		727 200	1 153 400	1 880 600

* Daily subsistence allowance cost at 50 per cent for Professional posts and 65 per cent for General Service (Other Level) posts.

1/3. Open-ended Working Group on an optional protocol to the International Covenant on Economic, Social and Cultural Rights

1. In paragraphs 2-4 of its resolution 1/3, the Council:

(*a*) *Decided* to extend the mandate of the Working Group for a period of two years in order to elaborate an optional protocol to the International Covenant on Economic, Social and Cultural Rights, and in this regard requested the Chairperson of the Working Group to prepare, taking into account all views expressed during the sessions of the Working Group, a first draft optional protocol to be used as a basis for the forthcoming negotiations;

(*b*) *Requested* the Working Group to meet for 10 working days each year and to report to the Council;

(*c*) *Decided* to invite a representative of the Committee on Economic, Social and Cultural Rights to attend these meetings as a resource person.

2. It is estimated that the two 10-day sessions of the Working Group would require provisions for travel and daily subsistence allowance of representatives and conference servicing, at full costs, in the 2006-2007 biennium as follows:

	United States dollars
Section 2, General Assembly and Economic and Social Council affairs and conference management	794 400
Section 23, Human rights	23 200
Section 28E, Administration, Geneva	13 200
Total	830 800

3. Resources related to the extension of the mandate and the meetings of the Working Group called for in paragraphs 2 and 3 of the resolution have been included under section 2, General Assembly and Economic and Social Council affairs and conference management, and section 28E, Administration, Geneva, of the programme budget for the 2006-2007 biennium. Hence, adoption of the resolution will not entail additional conference-servicing requirements.

4. With regard to paragraphs 3 and 4 of the resolution, the activities envisaged hereunder would require provisions for travel and daily subsistence allowance for the Chairperson of the Working Group and for the representative of the Committee on Economic, Social and Cultural Rights, respectively. Total costs of such requirements would amount to US$ 23,200 under section 23, Human rights, of the programme budget for the 2006-2007 biennium. The related costs for the travel and daily subsistence allowance will be absorbed within overall resources approved for section 23, Human rights, of that programme budget.

1/4. The right to development

1. In paragraphs 2-4, 6 and 7 of its resolution 1/4, the Council:

(*a*) Decided to renew the mandate of the Working Group on the Right to Development for a period of one year;

(*b*) Requested the high-level task force on the implementation of the right to development to meet for a period of five working days before the end of 2006 with a view to implementing the relevant recommendations contained in the report of the seventh session of the Working Group (E/CN.4/2006/26);

(*c*) Requested the Working Group to meet for a period of five working days in the first three months of 2007;

(*d*) Requested the Office of the United Nations High Commissioner for Human Rights to take all the necessary measures and allocate the necessary resources for the effective implementation of resolution 1/4;

(*e*) Decided to consider the next report of the Working Group at its session in March/April 2007.

2. It is estimated that requirements for conference services, travel and daily subsistence allowance of US$ 478,000 will arise for the 2006-2007 biennium.

3. Resources for conference services and the Working Group's travel costs have been included under section 2, General Assembly and Economic and Social Council affairs and conference management, section 23, Human rights, and section 28E, Administration, Geneva, of the programme budget for the 2006-2007 biennium for the Working Group to meet for a period of five working days per year. Were the Working Group to meet for additional periods, additional travel requirements might arise under section 23, Human rights, of the programme budget. The Secretariat will to the extent possible absorb within existing resources the requirements of the Working Group.

4. The provisions of General Assembly resolution 45/248 B of 21 December 1990 are also to be recalled, in section VI of which the Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

1/5. Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action

1. In paragraphs 2-5 of its resolution 1/5, the Council:

(*a*) Requested the Office of the United Nations High Commissioner for Human Rights to select, in close consultation with regional groups, five highly qualified experts to study the content and scope of the substantive gaps in the existing international instruments to combat racism, racial discrimination, xenophobia and related intolerance. The group of experts, in consultation with human rights treaty bodies, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and other relevant mandate holders, should produce a base document that contains concrete recommendations on the means or avenues to bridge these gaps, including but not limited to the drafting of a new protocol to the International Convention on the Elimination of All Forms of Racial Discrimination or the adoption of new instruments such as conventions or declarations;

(*b*) Requested the Committee on the Elimination of Racial Discrimination to conduct a further study on possible measures to strengthen the implementation of the Convention through additional recommendations or the update of its monitoring procedures;

(*c*) Decided that both documents should be presented to the Working Group at its fifth session;

(*d*) Decided to extend the mandate of the Working Group for a further period of three years.

2. It is estimated that requirements of US$ 579,800 will arise for the 2006-2007 biennium as follows: under section 2, General Assembly and Economic and Social affairs and conference management, US$ 372,700 for conference services; under section 23, Human rights, US$ 200,500 for travel and daily subsistence allowance for five experts and general temporary assistance for six months to assist the five experts; and under section 28E, Administration, Geneva, US$ 6,600 for conference services. Requirements of US$ 758,700 are also expected to arise for conference services in the 2008-2009 biennium.

3. Resources for conference-servicing costs related to the extension of the mandate of the Working Group have been included under section 2, General Assembly and Economic and Social affairs and conference management, and section 28E, Administration, Geneva, of the programme budget for the 2006-2007 biennium.

4. Provision of US$ 200,500 has, however, not been made under section 23, Human rights, of the 2006-2007 programme budget to cover the travel and daily subsistence allowance for five experts and general temporary assistance for six months to assist the five experts. It is

anticipated that these requirements can be absorbed within existing resources under section 23, Human rights. Accordingly it is anticipated that no request for additional appropriations will arise in the 2006-2007 biennium.

5. With regard to the requirements for the 2008-2009 biennium, they will be considered in the context of the proposed programme budget for the 2008-2009 biennium.

1/102. Extension by the Human Rights Council of all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights

1. In paragraphs 1-2 and 3 (*b*) of the text of its decision 1/102, the Council:

(*a*) Decided to extend exceptionally for one year, subject to the review to be undertaken by the Council in conformity with General Assembly resolution 60/251 of 15 March 2006, the mandates and the mandate holders of all the special procedures of the Commission on Human Rights, of the Sub-Commission on the Promotion and Protection of Human Rights as well as the procedure established in accordance with Economic and Social Council resolution 1503 (XLVIII) of 27 May 1970, as listed in the annex to decision 1/102;

(*b*) Requested the special procedures, the Sub-Commission and the procedure established in accordance with Economic and Social Council resolution 1503 (XLVIII) to continue with the implementation of their mandates and the Office of the United Nations High Commissioner for Human Rights to continue to provide the necessary support to them;

(*c*) Decided that the final session of the Sub-Commission shall be convened starting 31 July 2006 for a period of up to four weeks, if so decided by the Sub-Commission, including its pre-sessional and in-sessional working groups, and shall give due priority to preparing:

(i) A paper on the Sub-Commission's record that gives its own vision and recommendations for future expert advice to the Council, to be submitted to the Council in 2006;

(ii) A detailed list describing the status of all the Sub-Commission's ongoing studies as well as an overall review of its activities, to be submitted to the Council in 2006.

2. As budgetary provisions have already been made in the programme budget for the 2006-2007 biennium, the Secretariat will absorb requirements for activities related to the various human rights mandates listed in the annex to decision 1/102. These fall under section 2, General Assembly and Economic and Social Council affairs and conference management, section 23, Human rights, and section 28E, Administration, Geneva, of the programme budget. Hence, no additional appropriations are required at this time.

1/103. Universal periodic review

1. In paragraphs 1, 2 and 4 of the text of its decision 1/103, the Council:

(*a*) Decided to establish an intersessional open-ended intergovernmental working group to develop the modalities of the universal periodic review mechanism;

(*b*) Decided that the Working Group shall have at its disposal 10 days (or 20 three-hour meetings) of fully serviced meetings; and

(*c*) Decided that informal consultations could begin immediately through an open-ended consultative process in order to compile proposals and relevant information and experiences, to facilitate open-ended discussions appropriately scheduled by the Chairperson with the involvement of all stakeholders.

2. Total full costs of conference servicing, travel and daily subsistence allowance requirements envisaged in connection with preparation and organization of the meetings of the Working Group will amount to US$ 370,300 in the 2006-2007 biennium as follows:

	United States dollars
Section 2, General Assembly and Economic and Social Council affairs and conference management	330 900
Section 28E, Administration, Geneva	6 600
Section 23, Human rights	32 800
Total	370 300

3. Provision already exists in section 2, General Assembly and Economic and Social Council affairs and conference management, of the programme budget for the 2006-2007 biennium, in respect of conference costs. As regards the residual costs of US$ 39,400, it is anticipated that these can be absorbed within existing provisions for section 23, Human rights, and section 28E, Administration, Geneva. Accordingly, it is anticipated that no request for additional appropriations will arise.

1/104. Implementation of paragraph 6 of General Assembly resolution 60/251

1. In paragraphs 1-2 and 4-6 of the text of its decision 1/104, the Council:

(*a*) Decided to establish an open-ended intergovernmental working group to formulate concrete recommendations on the issue of reviewing and, where necessary, improving and rationalizing all mandates, mechanisms, functions and responsibilities as assumed by the Council from the Commission on Human Rights;

(*b*) Decided that the Working Group shall have at its disposal 20 days (or 40 three-hour meetings) of fully serviced meetings, and that it shall allow sufficient time and flexibility for the fulfilment of its mandate;

(*c*) Decided that informal consultations could begin immediately through an open-ended consultative process in order to compile proposals and relevant information and experiences, to facilitate open-ended discussions appropriately scheduled by the Chairperson with the involvement of all stakeholders;

(*d*) Requested the Office of the United Nations High Commissioner for Human Rights to provide the Working Group with background information on the functioning of the mandates and mechanisms and to compile the contributions of all stakeholders, including the inputs of the special procedures, the Sub-Commission on the Promotion and Protection of Human Rights and non-governmental organizations;

(*e*) Requested the Working Group to report regularly to the Council, starting in September 2006, on progress made to allow for the completion of the review, as requested in paragraph 6 of General Assembly resolution 60/251.

2. Total full costs of conference servicing, travel and daily subsistence allowance requirements envisaged under decision 1/104 will amount to US$ 738,600 in the programme budget for the 2006-2007 biennium as follows:

	United States dollars
Section 2, General Assembly and Economic and Social Council affairs and conference management	692 700
Section 28E, Administration, Geneva	13 100
Section 23, Human rights	32 800
Total	738 600

3. Provision already exists in section 2, General Assembly and Economic and Social Council affairs and conference management, of the programme budget for the 2006-2007 biennium, in respect of conference costs. As regards the residual costs of US$ 45,900, it is anticipated that these can be absorbed within existing provisions for section 23, Human rights, and section 28E, Administration, Geneva. Accordingly, it is anticipated that no request for additional appropriations will arise.

1/106. Human rights situation in Palestine and other occupied Arab territories

1. In paragraphs 1 and 2 of the text of its decision 1/106, the Council:

(*a*) Requested the relevant special rapporteurs to report to its next session on the Israeli human rights violations in occupied Palestine;

(*b*) Decided to undertake substantive consideration of the human rights violations and implications of the Israeli occupation of Palestine and other occupied Arab territories at its next session and to incorporate this issue in following sessions.

2. Total full costs of travel, daily subsistence allowance and general operating expenses during field missions envisaged under decision 1/106 will amount to US$ 97,700. Provisions for these activities have been included under the programme budget for the 2006-2007 biennium. Hence, no additional appropriation will be required for these activities.

1/PRST/1. Entry into force of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

1. Under the terms of its paragraphs 1 and 3, President's statement 1/PRST/1:

(*a*) Welcomed the entry into force on 22 June 2006 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, following ratification by 20 States;

(*b*) Requested the Secretary-General to ensure, within the overall budgetary framework of the United Nations, the provision of adequate staff and facilities for the bodies and mechanisms involved in combating torture and assisting victims of torture commensurate with the strong support expressed by Member States for combating torture and assisting victims of torture.

2. Part I, article 2, paragraph 1, of the Optional Protocol states that a Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of the Committee against Torture (hereinafter referred to as the Subcommittee on Prevention) shall be established and shall carry out the functions laid down in the Protocol. In accordance with part II, article 5, the Subcommittee on Prevention shall consist of 10 members; after the fiftieth ratification of or accession to the Protocol, the number of the members of the Subcommittee on Prevention shall increase to 25; the members of the Subcommittee on Prevention shall serve in their individual capacity.

3. Part II, article 10, paragraphs 2-3, of the Optional Protocol provide that the Subcommittee on Prevention shall establish its own rules of procedure and that after its initial meeting, the Subcommittee shall meet at such times as provided by its rules of procedure.

4. In part VI, article 25, paragraph 1, the Optional Protocol states that expenditures incurred by the Subcommittee on Prevention in the implementation of the Protocol shall be borne by the United Nations. Paragraph 2 of the same article states that the Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Subcommittee under the Protocol.

5. In accordance with part II, article 7 (*b*), of the Optional Protocol the initial election to the Subcommittee on Prevention should be held not later than six months after the entry into force of the Protocol, i.e. before 22 December 2006.

6. Programme budget implications will arise for the 2006-2007 biennium. It is estimated that requirements of approximately US$ 2,373,300 (net of staff assessment) will arise for the regular budget. This estimate is based on the assumption that the Subcommittee on Prevention will consist of 10 members, that it will hold its first organizational meeting in December 2006 and that it will hold three sessions in 2007, each of one week's duration. As there are presently 20 States parties, it is estimated that the Subcommittee may undertake four missions yearly in 2007 and keep to a periodicity of visits to each State party to one visit every five years. It is also assumed (on the basis of the experience of the visits carried out by the Committee against Torture to States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment) that each mission will require approximately 8 to 12 weeks' preparatory work and be of at least two weeks' duration each, and require four to eight weeks' post-session work including the drafting of reports. It is also expected that follow-up missions will require approximately four to six weeks' preparatory work plus a three-day mission and two to four weeks' post-session work, including the drafting of reports. Each mission is expected to consist of members, experts, staff and interpreters, if required.

7. The minimum secretariat support needed to provide substantive services to the Subcommittee on Prevention will consist of one P-4, two P-3 and one General Service post as of 2007.

8. In 2002, at the time of the adoption of the Optional Protocol, the programme budget implications statement (A/C.3/57/L.42) estimated requirements of US$ 2,082,700. Consequently, the current estimate of US$ 2,373,300 (net) reflects modifications of the requirements identified in that statement based on recent experience.

9. The estimated requirements of US$ 2,373,300 (net of staff assessment) or US$ 2,420,400 (gross) are summarized as follows:

	United States dollars		
	2006	2007	2006-2007
1. Conference services			
Section 2, General Assembly and Economic and Social Council affairs and conference management	194 800	1 347 600	1 542 400
Section 28E, Administration, Geneva	700	3 300	4 000
Subtotal	195 500	1 350 900	1 546 400
2. Section 23, Human rights			
Staff costs (one P-4, two P-3, one General Service)		278 900	278 900
Travel of representatives		391 000	391 000
Travel of staff and other travel		113 600	113 600
Office automation equipment		9 200	9 200
Subtotal		792 700	792 700
3. Section 28E, Administration, Geneva			
General operating expenses		23 600	23 600
Furniture and fixtures		10 600	10 600
Subtotal		34 200	34 200
4. Section 35, Staff assessment		47 100	47 100
5. Income from staff assessment		(47 100)	(47 100)
Total requirements	195 500	2 177 800	2 373 300

10. Provision already exists in section 2, General Assembly and Economic and Social Council affairs and conference management, in respect of conference costs. Provisions are, however, required for the 2006-2007 biennium for activities of the Subcommittee on Prevention as follows: US$ 792,700 under section 23, Human rights; US$ 38,200 under section 28E, Administration, Geneva, and US$ 47,100 under section 35, Staff assessment, offset by US$ 47,100 under income from staff assessment, income section 1.

11. It will be recalled that under the procedures established by the General Assembly in its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under this procedure, if additional expenditures are proposed that exceed the resources available from the contingency fund, the activities concerned can be implemented only through the redeployment of resources from low-priority areas or the modification of existing activities. Otherwise, such additional activities must be deferred to a later biennium.

12. The additional provisions cannot be met from the contingency fund as other activities in the 2006-2007 biennium charged against the fund are expected to exhaust the fund prior to the sixty-first session of the General Assembly. It is not possible at this stage to identify activities under section 23, Human rights, and section 28E, Administration, Geneva, of the programme budget for the 2006-2007 biennium that could be curtailed, deferred, terminated, or modified in order to meet the net additional requirement of US$ 830,900 although preliminary review leads the Secretariat to assume that some absorption of the estimated requirements is possible. The Secretariat will seek in the coming months to identify areas from which resources can be redeployed to meet the requirements for the Subcommittee on Prevention in the 2006-2007 biennium. At the time the Assembly reviews the question of the entry into force of the Optional Protocol at its sixty-first session, it is anticipated that sufficient time would have elapsed to be able to inform the Assembly of how to meet the additional requirements.

13. The provisions of General Assembly resolution 45/248 B of 21 December 1990 are also to be recalled, in section VI of which the Assembly reaffirmed that the Fifth Committee was the appropriate main committee of the Assembly entrusted with responsibilities for administrative and budgetary matters, and also reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions.

ANNEX IV

Attendance

Members

Algeria

Mr. Mohamed Bedjaoui,* Mr. Idriss Jazaïry,** Mr. Majid Bouguerra, Mr. Lazhar Soualem, Mr. Mohammed Bessedik, Mr. Mohamed Chabane, Ms. Selma Hendel, Ms. Mounia Loualalen, Mr. Boumediene Mahi, Mr. Ali Drouiche, Ms. Dalal Soltani, Mr. Mustapha Abbani.

Argentina

Mr. Alberto J. Dumont,* Mr. Sergio Cerda,** Mr. Federico Villegas Beltrán, Mr. Sebastian Rosales, Mr. Rodolfo Mattarollo.

Azerbaijan

Mr. Elchin Amirbayov,* Mr. Azad Jafarov, Mr. Seymuz Mardaliyv, Mr. Mammad Talibov.

Bahrain

Mr. Abdulaziz Bin Mubarak Al Khalifa,* Mr. Abdulla Abdullatif Abdulla, Mr. Yasser G. Shaheen, Mr. Ammar M. Rajab, Mr. Khalifa Al Khalifa.

Bangladesh

Mr. Hemayetuddin,* Mr. Toufiq Ali, Mr. Mahbub Uz Zaman, Mr. Andalib Elias, Mr. Nayem U. Ahmed.

Brazil

Mr. Celso Luiz Nunez Amorim,* Mr. Paulo De Tarso Vannuchi,** Mr. Clodoaldo Hugueney, Mr. Sérgio Abreu E. Lima Florencio, Mr. Antonio Carlos Do Nascimento Pedro, Ms. Márcia Marin Adorno Cavalcanti Ramos, Ms. Claudia De Angelo Barbosa, Ms. Luciana Da Rocha Manzini, Ms. Regiane Mara Conçalves De Melo, Mr. Murilo Komniski.

Cameroon

Mr. Joseph Dion Ngute,* Mr. Martin Belinga Eboutou,** Mr. Francis Ngantcha, Ms. Odette Melono, Mr. Samuel Mvondo Ayolo, Mr. Michel Mahouve, Ms. Chantal Nama, Mr. Bertin Bidima.

Canada

Mr. Paul Meyer,* Mr. Henri-Paul Normandin,** Mr. Terry Cormier,** Ms. Deirdre Kent, Mr. Paul Gibbard, Ms. Jennifer Hart, Mr. John von Kaufmann, Mr. Wayne Lord, Ms. Nadia Stuewer, Ms. Diana Gee Silverman, Mr. Keith Boustead.

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* Representative.

** Alternate.

China

Mr. Zukang Sha,* Mr. Yongxaing Shen,** Mr. Yifan La,** Ms. Dan Zhang,** Mr. Jian Lu,**
Ms. Zhihua Dong,** Ms. Wenhong Shao, Mr. Kaijun Dong, Mr. Bangfu Peng, Mr. Bin Hu, Mr. Jin Sun,
Ms. Leiden Wu, Ms. Wen Li, Mr. Lingbin Kong, Mr. Yi Zhang, Ms. Jing Xu, Ms. Ning Sun.

Cuba

Mr. Juan Antonio Fernández Palacios,* Mr. Rodolfo Reyes Rodríguez,* Mr. Yuri Ariel Gala López,**
Ms. María del Carmen Herrera, Mr. Carlos Hurtado Labrador, Mr. Miguel Alfonso Martínez.

Czech Republic

Mr. Jaroslav Bašta,* Mr. Tomáš Husák,** Ms. Verónica Stromsikova, Mr. Pavel Hrncir,
Mr. Jan Kaminek, Mr. Lukas Machon, Mr. Karel Schwarzenberg, Mr. Jan Kara.

Djibouti

Mr. Roble Olhaye,* Mr. Mohamed Ziad Doualeh, Mr. Hassan Doualeh.

Ecuador

Mr. Francisco Carrion-Meña,* Mr. Galo Larenas Serrano, Mr. Arturo Cabrera Hidalgo,
Mr. Carlos Santos Repetto, Mr. Luis Vayas Valdivieso.

Finland

Mr. Vesa Himanen,* Ms. Johanna Suurpää,** Ms. Satu Mattila,** Ms. Katri Silfverberg, Mr. Lasse Keisalo,
Ms. Satu Suikkari, Mr. Janne Jokinen, Ms. Kirsti Pohjankukka, Ms. Ann Mari Fröberg, Ms. Sanna Kyllönen,
Ms. Anne Nuorgam.

France

Mr. Philippe Douste-Blazy,* Mr. Jean-Maurice Ripert, Mr. Michel Doucin, Ms. Sylvie Bermann,
Mr. Christophe Guilhou, Mr. Marc Giacomini, Ms. Béatrice Le Fraper Du Helen, Ms. Catherine Calothy,
Mr. Armand Riberolles, Mr. Francois Vandeville, Ms. Donatienne Hissard, Mr. Raphaël Droszewski,
Ms. Martine Anstett, Mr. Daniel Vosgien, Ms. Marie-Gabrielle Merloz, Mr. Philippe Cerf,
Ms. Galliane Palayret, Ms. Véronique Basso, Ms. Lucile Sengler, Ms. Morgane Pelloux, Ms. Souhila Zitouni,
Mr. Michael Beigbeder, Mr. Jean-Marie Palayret.

Gabon

Mr. Pierre-Claver Maganga Moussavou,* Mr. Patrice Meyet,** Ms. Danielle Meyet, Mr. Ibrahim Bignoumbe
Moussavou, Mr. Corentin Hervo Akendengue, Ms. Eugénie Ignanda Held.

Germany

Mr. Gunter Nooke,* Mr. Michael Steiner,* Ms. Birgitta Siefker Eberle,** Mr. Peter Rothen,
Mr. Nelhart Hofer Wissing, Mr. Ingo von Voss, Mr. Andreas Berg, Mr. Arvid Enders, Mr. Martin Frick,
Mr. Jochen von Bernstorff, Ms. Monika Lüke.

Ghana

Mr. Nana Akufo Addo,* Mr. K. Osei-Prempeh,** Mr. Nana Effah-Apenteng,
Mr. Kwame Bawuah-Edusei, Mr. Paul Aryene, Ms. Anna Bossman, Ms. Amma Gaisie,
Ms. Sylvia Adusu.

Guatemala

Ms. Marta Altolaguirre Larreondo,* Ms. Carla Rodríguez Mancia, Ms Angela Chávez Bietti, Ms. Stephanie Hochstetter Skinner Klee, Mr. Carlos Arroyave Prera, Ms. Sulmi Barrios Monzón, Ms. Soledad Urrucla Arenales, Mr. Juan Leon.

India

Mr. Anand Sharma,* Mr. Swashpawan Singh,** Mr. Murlidhar Bhandare, Mr. Ajai Malhotra, Mr. Manjeev Puri, Mr. Mohinder Grover, Mr. Narinder Singh, Mr. Indra Mani Pandey, Mr. Muktesh Pardeshi, Mr. Kumaresan Ilango, Mr. B.N. Reddy, Mr. Anupam Ray, Mr. Vijay Kumar Trivedi, Mr. Prashant Fise, Mr. Munu Mahawar, Ms. Nutan Mahawar, Mr. Kartik Pande, Mr. S. Inbasekar.

Indonesia

Mr. Hassan Wirajuda, Mr. Slamet Hidayat, Mr. Makarim Wibisono, Mr. Gusti Agung Wesaka Puja, Ms. Wiwiek Setyawati, Ms. Adiyatwidi Adiwoso Asmady, Mr. Sunu M. Soemarno, Mr. Jonny Sinaga, Mr. Lasro Simbolon, Mr. Abdul Kadir Jailani, Mr. Muhammad Anshor, Mr. Benny Yan Pieter Siahaan, Mr. Acep Somantri, Ms. Diana Emilla Sari Sutikno, Mr. Agung Cahaya Sumirat, Mr. Ignatius Puguh Priambodo, Mr. Djumantoro Purbo.

Japan

Ms. Akiko Yamanaka,* Mr. Ichiro Fujisaki,* Mr. Shigeru Endo,** Mr. Hiroshi Minami,** Mr. Tetsuya Kimura, Mr. Shigeru Orihana, Mr. Yusuke Arai, Mr. Shu Nakagawa, Mr. Tadahiko Yamaguchi, Ms. Yukikio Yamada, Ms. Yukiko Harimoto, Mr. Akira Kato, Ms. Aya Fukuda, Ms. Tomoko Matsu awa, Mr. Derek Skelecki, Ms. Tomomi Shiwa.

Jordan

Mr. Abdelah Al Khatib,* Mr. Musa Burayzat,** Ms. Leena Al Hadi, Mr. Adi Khair.

Malaysia

Mr. Ahmad Shabery Cheek,* Ms. King Bee Hsu,** Mr. Mohamed Zin Amran,** Mr. Mohamed Norman, Mr. Abidin Zulkfli, Mr. Idham Musa Moktar.

Mali

Mr. Moctar Ouani,* Mr. Sidiki Lamine Sow,** Ms. Fatoumata Diall,** Mr. Mamadou Fatogoma Diarra, Mr. Idriss Sidibe, Mr. Sekou Kasse, Mr. Alhacoum Maiga.

Mauritius

Mr. Shree Baboo Chekitan Servansing,* Mr. Mohamed Iqbal Latona, Mr. Vishwakarmah Mungur, Mr. Humees Kumar Sookmanee, Ms. Reena Wilfred René.

Mexico

Ms. María del Refugio González,* Ms. Xóchiti Gálvez,** Mr. Luis Alfonso de Alba, Mr. Pablo Macedo, Mr. Luis Javier Campuzano, Mr. Jose Antonio Guevara, Mr. Gustavo Torres, Ms. Elia Sosa, Ms. Mariana Salazar, Mr. Alejandro Alday, Ms. Crista Gonzalez, Ms. Gabriela Nava, Mr. Adelfo Regino Montes, Mr. David Ruiz, Mr. Juan Gadea.

Morocco

Mr. Mohammed Loulichki,* Mr. Assedine Farhane, Mr. Driss Isbayene, Mr. Omar Kadiri, Ms. Fatimatou Mansour, Ms. Idriss Najim, Mr. Rachid El Boulli Rguibi.

Netherlands

Mr. Ian De Jong,* Mr. Piet De Klerk,** Ms. Hedda Samson, Mr. Hanno Wurzner, Ms. Birgitta Tazelaar, Mr. Joris Geeven, Ms. Marielle Van Kesteren, Ms. Wencke Kruanjenvanger, Ms. Lila Del Colle, Ms. Monique Legerman.

Nigeria

Mr. Oluyemi Adeniji,* Mr. Joseph U. Ayalogu,** Mr. Kunle Adeyanju,** Mr. Bayo Ajagbe, Mr. Chijioke Wigwe, Mr. Mike G. Omotosho, Mr. John Onuoha, Mr. H.O. Sulaiman, Mr. Alhassan Hussain, Mr. B.B. Hamman.

Pakistan

Mr. Masood Khan,* Ms. Tehmina Janjua, Mr. Muneer Ahmad, Mr. Aftab Khokher, Mr. Mansoor Ahmad Khan, Mr. Rizwan Saeed Sheikh, Mr. Faisal Niaz Tirmizi.

Peru

Mr. Manuel Rodriguez Cuadros,* Mr. Carlos Chocano,** Mr. Juan Pablo Vegas, Ms. Eliana Beraun, Mr. Alejandro Neyra, Mr. Inti Zevallos, Mr. Luis Enrique Chávez.

Philippines

Mr. Alberto G. Romulo,* Mr. Enrique Manalo,** Mr. Aladin Villacorte, Ms. Grace R. Princesa, Ms. Junever Mahilum West, Mr. Noel Servigon, Mr. Jesus Enrique Garcia, Ms. Leizel Fernandez.

Poland

Mr. Janusz Stańczyk,* Mr. Zdzislaw Rapacki,** Mr. Zdzislaw Kedzia, Ms. Anna Grupińska, Mr. Andrzej Misztal, Mr. Miroslaw Luczka, Ms. Krystyna Zurek, Ms. Agnieszka Wyznikiewicz, Mr. Maciej Janczak, Ms. Agnieszka Kozak.

Republic of Korea

Mr. Ki-moon Ban,* Mr. Hyuck Choi,** Mr. Dong-hee Chang, Ms. Kyung-wha Kang, Ms. Ji-ah Paik, Mr. Sang-yong Lee, Mr. Moon-hwan Kim, Mr. Kyeong-seok Kim, Mr. Hoon-min Lim, Mr. Hyun-cheol Jang, Mr. Young-hyo Park, Mr. Chul Lee, Mr. Il-bum Kim.

Romania

Mr. Mihai Razvan Ungureanu,* Mr. Doru Romulus Costea, Mr. Cornel Feruta, Mr. Stelian Stoian, Ms. Corina Vintan, Ms. Andrea Chiriac, Ms. Florentina Voicu.

Russian Federation

Mr. Valery Loshchinin,* Mr. Oleg Malginov,** Ms. Marina Korunova,** Mr. Alexander Matveev, Mr. Yuri Boychenko, Mr. Grigory Lukiyantsev, Mr. Pavel Chernikov, Mr. Andrey Nikiforov, Mr. Sergey Chumarev, Mr. Alexander Tokarev, Mr. Alexey Akzhigitov, Mr. Yuri Chernikov, Mr. Vasiliy Kuleshov, Mr. Alexey Goltyaev, Ms. Nataliya Zolotova, Ms. Galina Khvan, Mr. Sergey Kondratiev, Ms. Kristina Redesha, Mr. Semen Lyapichev, Ms. Elena Makeeva, Ms. Oleysa Chutaeva.

Saudi Arabia

Mr. Abdulwahab Attar,* Mr. Abdul Aziz Al Hainady,** Mr. Mamdoh Al Shamari,** Mr. Abdullah Rashwan, Mr. Turki Al Madhi, Mr. Abdullah Al-Alsheikh.

Senegal

Ms. Marie Bassine Niang,* Mr. Ousmane Camara, Mr. Chimère Malick Diouf, Mr. Oumar Demba Ba, Mr. Abdou Salam Diallo, Mr. Daouda Maliguèye Sene, Mr. Cheikh Tidiane Thiam, Mr. El Hadji Ibou Boye, Mr. Abdoul Wahab Haidara, Mr. Mamadou Seck, Ms. Fatou Caye, Mr. Ndiame Gaye, Mr. El Hadji Malick Sow.

South Africa

Mr. Z.S.T. Skweyiya,* Mr. Sipho George Nene, Ms. Glaudine Mtshali, Mr. Samuel Kotane, Ms. Ketlareng Sybil Matlhako, Ms. Fiyola Hoosen.

Sri Lanka

Mr. Mahinda Samarasinghe,* Ms. Sarala Fernando,** Mr. G.K.D. Amarawardane, Mr. W.J.S Fernando, Mr. O.L. Ameer Ajwad, Mr. Sugeeswara Gunaratne, Mr. S.P.W. Pathirana, Mr. D.D.M.S.B. Dissanayake, Ms. Sonali Dayaratne.

Switzerland

Mr. Blaise Godet,* Mr. Jean-Daniel Vigny,** Mr. Wolfgang Amadeus Bruelhart,** Mr. Gilles Roduit, Ms. Kamelia Kemileva, Ms. Nathalie Kohli, Ms. Jeannie Volken, Mr. Christoph Spenle, Mr. Jean-Pierre Reymond, Ms. Aline Baumgartner, Ms. Kathrin Betz, Ms. Sacha Meuter, Ms. Boel Sambuc.

Tunisia

Mr. Abdelwaheb Abdallah,* Mr. Samir Labidi, Mr. Mohamed Salah Tekaya, Mr. Mohamed Chagraoui, Ms. Holla Bach Tobji, Mr. Hatem Landoulsi.

Ukraine

Mr. Volodymyr Vassylenko,* Mr. Yevhen Bersheda, Mr. Oleksiy Ilnytskyi, Ms. Tetiana Semeniuta, Ms. Olena Petrenko, Ms. Olga Zagorodna.

United Kingdom of Great Britain and Northern Ireland

Mr. Nicholas Thorne,* Ms. Caroline Rees, Mr. Rob Dixon, Mr. Robert Last, Mr. Edward Inglett, Ms. Sylvia Chubbs, Mr. Joe McClintock, Ms. Alexandra Davison, Ms. Harriet Cross, Mr. Vinay Talwar, Ms. Alexandra Hall, Mr. Stephen Pattison, Mr. Michael Watson.

Uruguay

Ms. Belela Herrera,* Mr. Guillermo Valles,** Mr. Ricardo González, Ms. Alejandra de Bellis.

Zambia

Mr. Love Mtesa,* Mr. Mathias Daka,** Ms. Encyla Sinjela, Mr. Alfonso Zulu, Ms. Patricia Kondolo.

States Members of the United Nations represented by observers

Afghanistan
Albania
Andorra
Angola
Armenia
Australia
Austria
Bangladesh
Barbados
Belarus
Belgium
Belize
Benin
Bhutan
Bolivia
Bosnia and Herzegovina
Botswana
Brunei Darussalam
Bulgaria
Burkina Faso
Burundi
Cambodia
Cape Verde
Chad
Chile
Colombia
Congo
Costa Rica
Côte d'Ivoire
Croatia
Cyprus
Democratic People's Republic of Korea
Democratic Republic of the Congo
Denmark
Dominican Republic
Egypt
El Salvador
Ethiopia
Equatorial Guinea
Eritrea
Estonia
Georgia
Greece
Guinea
Haiti
Honduras
Hungary
Iceland
Iran (Islamic Republic of)
Iraq
Ireland
Israel
Italy
Jamaica
Kazakhstan
Kenya
Kyrgyzstan
Lao People's Democratic Republic
Latvia
Lebanon
Lesotho
Libyan Arab Jamahiriya
Liechtenstein
Lithuania
Luxembourg
Madagascar
Maldives
Malta
Mauritania
Monaco
Mongolia
Mozambique
Myanmar
Nepal
New Zealand
Nicaragua
Norway
Oman
Panama
Paraguay
Portugal
Qatar
Rwanda
San Marino
Serbia
Singapore
Slovakia
Slovenia
Spain
Saint Kitts and Nevis
Sudan
Sweden
Syrian Arab Republic
Thailand
The former Yugoslav Republic of Macedonia
Timor-Leste
Togo
Trinidad and Tobago
Turkey
Uganda
United Arab Emirates
United Republic of Tanzania
United States of America
Uzbekistan
Venezuela (Bolivarian Republic of)
Viet Nam
Yemen
Zimbabwe

Non-member State represented by observers

Holy See

Other observers

Palestine

United Nations

Office of the United Nations High Commissioner for Refugees
United Nations Children's Fund
United Nations Conference on Trade and Development
United Nations Non-Governmental Liaison Service
United Nations Office for the Coordination of Humanitarian Affairs
United Nations Population Fund
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Specialized agencies and related organizations

Food and Agriculture Organization of the United Nations
International Labour Organization
United Nations Educational, Scientific and Cultural Organization
World Bank
World Health Organization
World Trade Organization

Intergovernmental organizations

African Union
Commonwealth Secretariat
Council of Europe
European Union
International Organization of la Francophonie
International Organization for Migration
Inter-Parliamentary Union
League of Arab States
Organization of the Islamic Conference

Other entities

International Committee of the Red Cross
International Federation of Red Cross and Red Crescent Societies
Order of Malta

Non-governmental organizations

General consultative status

Agence internationale pour le développement (Aide-Fédération)
Asian Legal Resource Centre
Commission of the Churches on International Affairs of the World Council of Churches
Conference of Non-Governmental Organizations in Consultative Relationship with the United Nations
Europe-Third World Centre
Franciscans International
Friends World Committee for Consultation (Quakers)
International Alliance of Women
International Association for Religious Freedom
International Confederation of Free Trade Unions
International Council of Women
International Federation of Business and Professional Women
International Movement ATD Fourth World
International Save the Children Alliance
International Youth and Student Movement for the United Nations
World Federation of United Nations Associations
World Movement of Mothers
World Muslim Congress
World Vision International

Special consultative status

African Commission of Health and Human Rights Promoters
Agir ensemble pour les droits de l'homme
All-China Women's Federation
American Indian Law Alliance
American Society of Criminology
Amnesty International
Anti-Racism Information Service
Asian Forum for Human Rights and Development
Asian Indigenous and Tribal Peoples Network
Assembly of First Nations – National Indian Brotherhood
Association for the Prevention of Torture
Association of United Families International
Association Points-Coeur
Association tunisienne des droits de l'enfant
Baha'i International Community
Canadian HIV/AIDS Legal Network
CARE (Christian Action Research and Education)
Centre on Housing Rights and Evictions
Centrist Democratic International
China Society for Human Rights Studies
Chinese Association for International Understanding
Conscience and Peace Tax International
Consultative Council of Jewish Organizations
Coordinating Board of Jewish Organizations
Cultural Survival
Dominicans for Justice and Peace (Order of Preachers)
European Roma Rights Center
Families of Victims of Involuntary Disappearance
Family Research Council

Federation of American Women's Clubs Overseas
France Libertés. Fondation Danielle Mitterrand
Freedom House
Hadassah, the Women's Zionist Organization of America, Inc.
Himalayan Research and Cultural Foundation
Human Rights Advocates, Inc.
Human Rights First
Human Rights Watch
Humanist Committee on Human Rights
Indian Council of Education
Indian Movement Tupaj Amaru
Indigenous World Association
Interfaith International
International Association of Democratic Lawyers
International Association of Jewish Lawyers and Jurists
International Centre for Human Rights and Democratic Development (Rights and Democracy)
International Commission of Catholic Prison Pastoral Care
International Commission of Jurists
International Committee for the Indians of the Americas
International Committee for the Respect and Application of the African Charter on Human and Peoples' Rights
International Federation of Human Rights Leagues
International Federation of Social Workers
International Federation of University Women
International Federation Terre des Hommes
International Fellowship of Reconciliation
International Helsinki Federation for Human Rights
International Indian Treaty Council
International Investment Centre
International Islamic Federation of Student Organizations
International League for Human Rights
International League for the Rights and Liberation of Peoples
International NGO Forum on Indonesian Development
International Organization for the Development of Freedom of Education
International Organization of Indigenous Resources Development
International Pen
International Police Association
International Rehabilitation Council for Torture Victims
International Service for Human Rights
International Volunteerism Organization for Women, Education and Development – VIDES
International Work Group for Indigenous Affairs
International Young Catholic Students
Ius Primi Viri International Association
Japan Federation of Bar Associations
Juridical Commission for Auto-Development of First Andean Peoples
Latin American Federation of Associations of Relatives of Disappeared Detainees
Lutheran World Federation
Mandat International
Marangopoulos Foundation for Human Rights
Migrants Rights International
Minnesota Advocates for Human Rights
Myochikai (Arigatou Foundation)
Native American Rights Fund
Netherlands Centre for Indigenous Peoples
Nonviolence International
North South XXI
Organization for Defending Victims of Violence
Pax Christi International, International Catholic Peace Movement
Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs and International Movement of Catholic Students)
Permanent Assembly for Human Rights
Philippine Human Rights Information Centre
Reporters Without Borders – International
Socialist International Women
Society for the Protection of Unborn Children
South Asia Human Rights Documentation Centre
Susila Dharma International Association, Inc.
Tebtebba Foundation (Indigenous Peoples' International Centre for Policy Research and Education)
Union de l'action féminine
Union of Arab Jurists
United Nations Watch
Women's International League for Peace and Freedom
Women's International Zionist Organization
Women's World Summit Foundation
World Federation for Mental Health
World Information Clearing Centre
World Jewish Congress
World Organization Against Torture
World Russian People's Council
World Union of Catholic Women's Organizations
World Young Women's Christian Association
WorldwideOrganization for Women
Young Doctors without Frontiers Tunisia
Youth with a Mission – England

Asociación Kunas Unidos por Napguana
Association for World Education
Association of World Citizens
B'nai B'rith International
FIAN – Foodfirst Information and Action Network
Friedrich Ebert Foundation
Grand Council of the Crees (Eeyou Istchee)
Indian Council of South America
Indian Law Resource Centre
Indigenous Peoples' Centre for Documentation, Research and Information
International Buddhist Foundation
International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities
International Federation of Rural Adult Catholic Movements
International Human Rights Association of American Minorities
International Human Rights Internship Program
International Movement Against All Forms of Discrimination and Racism
International Peace Bureau
Movement Against Racism and for Friendship Among Peoples
Saami Council
Servas International
UNESCO Centre Basque Country
United Methodist Church – Generai Board of Church and Society
World Association for the School as an Instrument of Peace
World Union for Progressive Judaism

ANNEX V

List of documents issued for the first session of the Council

Documents issued in the general series

Symbol	*Agenda item*	
A/HRC/1/1	2	Adoption of the agenda and organization of work: note by the Secretary-General
A/HRC/1/SR.1-24 and A/HRC/1/SR.1-24/ Corrigendum		Summary records of meetings held by the Council at its first session, and corrigendum

Documents issued in the limited series

Symbol	*Agenda item*	
A/HRC/1/L.1		[Symbol not used]
A/HRC/1/L.2	4	International Convention for the Protection of All Persons from Enforced Disappearance: draft resolution
A/HRC/1/L.3	4	Working group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994: draft resolution
A/HRC/1/L.4/Rev.1	4	Open-ended Working Group on an optional protocol to the International Covenant on Economic, Social and Cultural Rights: draft resolution
A/HRC/1/L.5	4	Entry into force of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: draft statement submitted by the President
A/HRC/1/L.6	4	Extension by the Human Rights Council of all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights: draft decision submitted by the President
A/HRC/1/L.7	4	The right to development: draft resolution
A/HRC/1/L.8	4	Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action: draft resolution
A/HRC/1/L.9	4	Hostage-taking: draft resolution

Documents issued in the limited series (continued)

Symbol	*Agenda item*	
A/HRC/1/L.10 and Add.1	6	Draft report to the General Assembly on the first session of the Council
A/HRC/1/L.11		[Symbol not used]
A/HRC/1/L.12	4	Universal periodic review: draft decision submitted by the President
A/HRC/1/L.13	5	Draft framework for a programme of work of the Council for the first year: draft decision submitted by the President
A/HRC/1/L.14	4	Implementation of paragraph 6 of General Assembly resolution 60/251: draft decision submitted by the President
A/HRC/1/L.15	4	Human rights situation in Palestine and other occupied Arab territories: draft decision
A/HRC/1/L.16	4	Incitement to racial and religious hatred and the promotion of tolerance: draft decision

Documents issued in the Government series

Symbol	*Agenda item*	
A/HRC/1/G/1	4	Note verbale dated 20 June 2006 from the Permanent Mission of the United States of America to the United Nations Office at Geneva addressed to the secretariat of the Human Rights Council
A/HRC/1/G/2	4	Letter dated 21 June 2006 from the Minister for Foreign Affairs and European Integration of Croatia addressed to the President of the Human Rights Council
A/HRC/1/G/3	4	Note verbale dated 30 May 2006 from the Permanent Mission of Japan to the United Nations Office at Geneva addressed to the secretariat of the Human Rights Council

Documents issued in the non-governmental organization series

Symbol	*Agenda item*	
A/HRC/1/NGO/1	4	Written statement submitted by the Indian Movement Tupaj Amaru
A/HRC/1/NGO/2	4	Written statement submitted by Cultural Survival

Documents issued in the non-governmental organization series (continued)

Symbol	*Agenda item*	
A/HRC/1/NGO/3	4	[French only]
A/HRC/1/NGO/4	4	Written statement submitted by the Transnational Radical Party
A/HRC/1/NGO/5	4	Written statement submitted by the International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities
A/HRC/1/NGO/6	4	Written statement submitted by Reporters without Borders - International
A/HRC/1/NGO/7	4	[Spanish only]
A/HRC/1/NGO/8	4	Written statement submitted by Amnesty International and others
A/HRC/1/NGO/9	4	Written statement submitted by the Families of Victims of Involuntary Disappearance
A/HRC/1/NGO/10	4	Written statement submitted by the Centre on Housing Rights and Evictions and others
A/HRC/1/NGO/11	4	Written statement submitted by the Commission of the Churches on International Affairs of the World Council of Churches and others
A/HRC/1/NGO/12	4	Written statement submitted by International Educational Development, Inc.
A/HRC/1/NGO/13	4	Written statement submitted by United Nations Association of China
A/HRC/1/NGO/14	4	Idem
A/HRC/1/NGO/15	4	Written statement submitted by the International Women's Rights Action Watch
A/HRC/1/NGO/16	4	Written statement submitted by Agir ensemble pour les droits de l'homme
A/HRC/1/NGO/17	4	[French only]
A/HRC/1/NGO/18	4	Written statement submitted by the Asian Forum for Human Rights and Development
A/HRC/1/NGO/19-22	4	[Spanish only]
A/HRC/1/NGO/23	4	Written statement submitted by the International Rehabilitation Council for Torture Victims

Documents issued in the non-governmental organization series (continued)

Symbol	*Agenda item*	
A/HRC/1/NGO/24	4	Written statement submitted by Conscience and Peace Pax International
A/HRC/1/NGO/25	4	Written statement submitted by the Union internationale des avocats
A/HRC/1/NGO/26	4	Written statement submitted by the International Youth and Student Movement for the United Nations and others
A/HRC/1/NGO/27	4	Written statement submitted by the Europe-Third World Centre and others
A/HRC/1/NGO/28	4	Written statement submitted by United Nations Watch
A/HRC/1/NGO/29	4	Written statement submitted by the International Alliance of Women and others
A/HRC/1/NGO/30	4	Written statement submitted by Global Rights
A/HRC/1/NGO/31	4	Written statement submitted by the Arab Centre for the Independence of the Judiciary and the Legal Profession
A/HRC/1/NGO/32	4	Written statement submitted by the International Federation of Human Rights Leagues
A/HRC/1/NGO/33	4	Written statement submitted by the Transnational Radical Party
A/HRC/1/NGO/34-39	4	Idem
A/HRC/1/NGO/40	4	Written statement submitted by the International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities
A/HRC/1/NGO/41-44	4	Idem
A/HRC/1/NGO/45	4	Written statement submitted by B'nai B'rith International
A/HRC/1/NGO/46	4	Written statement submitted by the Commission of the Churches on International Affairs of the World Council of Churches and others
A/HRC/1/NGO/47	4	Written statement by Action Canada for Population and Development and others

Documents issued in the non-governmental organization series (concluded)

Symbol	*Agenda item*	
A/HRC/1/NGO/48	4	Written statement submitted by the International Volunteerism Organization for Women, Education and Development
A/HRC/1/NGO/49	4	Written statement submitted by Amnesty International
A/HRC/1/NGO/50	4	Written statement submitted by the International Council of Women and others

Part Two

Report of the Human Rights Council on its first special session

I. Resolution adopted by the Council at its first special session

S-1/1. Human rights situation in the Occupied Palestinian Territory

The Human Rights Council,

Guided by the principles and objectives of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Affirming the applicability of the Geneva Convention relative to the Protection of Civil Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and to other occupied Arab territories,

Expressing deep concern at the breaches by Israel, the occupying Power, of international humanitarian law and human rights law in the Occupied Palestinian Territory, including the arbitrary arrest of Palestinian ministers, members of the Palestinian Legislative Council and other officials, as well as the arbitrary arrest of other civilians, the military attacks against Palestinian ministries, including the office of the Premier, and the destruction of Palestinian infrastructure, including water networks, power plants and bridges,

1. *Expresses grave concern* at the violations of the human rights of the Palestinian people caused by the Israeli occupation, including the current extensive Israeli military operations against Palestinians in the Occupied Palestinian Territory;

2. *Demands* that Israel, the occupying Power, end its military operations in the Occupied Palestinian Territory, abide scrupulously by the provisions of international humanitarian law and human rights law, and refrain from imposing collective punishment on Palestinian civilians;

3. *Expresses grave concern* at the detrimental impact of the current Israeli military operation on the already deteriorating humanitarian conditions of the Palestinian people;

4. *Urges* Israel, the occupying Power, to immediately release the arrested Palestinian ministers, members of the Palestinian Legislative Council and other officials, as well as all other arrested Palestinian civilians;

5. *Urges* all concerned parties to respect the rules of international humanitarian law, to refrain from violence against the civilian population and to treat under all circumstances all detained combatants and civilians in accordance with the Geneva Conventions of 12 August 1949;

6. *Decides* to dispatch an urgent fact-finding mission headed by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967;

7. *Calls* for a negotiated solution to the current crisis.

2nd meeting
6 July 2006

[Resolution adopted by a recorded vote of 29 to 11, with 5 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Azerbaijan, Bahrain, Bangladesh, Brazil, China, Cuba, Ecuador, Ghana, Guatemala, India, Indonesia, Jordan, Malaysia, Mali, Mauritius, Morocco, Pakistan, Peru, Philippines, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Tunisia, Uruguay, Zambia.

Against: Canada, Czech Republic, Finland, France, Germany, Japan, Netherlands, Poland, Romania, Ukraine, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Cameroon, Mexico, Nigeria, Republic of Korea, Switzerland.

See chapter II.]

II. Organization of work of the first special session

1. Pursuant to paragraph 10 of General Assembly resolution 60/251 of 15 March 2006, the Council "shall be able to hold special sessions, when needed, at the request of a member of the Council with the support of one third of the membership of the Council".

2. By a letter dated 30 June 2006, addressed to the President of the Human Rights Council (A/HRC/S-1/1), the Permanent Representative of Tunisia to the United Nations Office at Geneva, on behalf of the Group of Arab States, requested that a special session of the Council be convened immediately "to consider the latest escalation of the situation in the Palestinian and other occupied Arab territories". The letter was received by the President, on the same day, following the closure of the first session of the Council, held from 19 to 30 June 2006.

3. The letter was accompanied by signatures in support of the above-mentioned request from the following 21 States members of the Council: Algeria, Azerbaijan, Bahrain, Bangladesh, Brazil, China, Cuba, Gabon, India, Indonesia, Jordan, Malaysia, Mali, Morocco, Pakistan, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Tunisia.

4. As more than one third of the membership of the Council supported the above-mentioned request, the President, following consultations with the Bureau, decided to convene a special session of the Council on 5 and 6 July 2006.

A. Opening and duration of the session

5. The Council held its first special session at the United Nations Office at Geneva on 5 and 6 July 2006. It held two meetings (see A/HRC/S-1/SR.1-2)[1] during the session.

6. The special session was opened by the President of the Council, Mr. Luis Alfonso de Alba.

B. Attendance

7. The special session was attended by representatives of States members of the Council, observers for non-member States of the Council, observers for non-member States of the United Nations and other observers, as well as observers for United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations.

[1] Summary records of each of the meetings are subject to correction. They are considered final with the issuance of a consolidated corrigendum (A/HRC/S-1/SR.1-2/Corrigendum).

C. Officers

8. At its first session, the Council had elected the following officers, who also served as officers for the first special session:

President:	Mr. Luis Alfonso de Alba (Mexico)
Vice-Presidents:	Mr. Tomáš Husák (Czech Republic) Mr. Mohammed Loulichki (Morocco) Mr. Blaise Godet (Switzerland)
Vice-President and Rapporteur:	Mr. Musa Burayzat (Jordan)

D. Organization of work

9. The Council accepted the recommendation of its officers that the speaking-time limits would be five minutes for statements by States members of the Council and concerned countries, and three minutes for statements by observers for non-member States of the Council, and other observers, including United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations. The Council also accepted the recommendation of its officers that the list of speakers would be drawn up in chronological order of registration and that the order of speakers would be as follows: States members of the Council, followed by concerned countries, then by observers for non-member States of the Council and other observers.

10. The Council further accepted the recommendation of its officers that, with regard to statements in exercise of the right of reply, a limit of two statements per delegation for the entire session, three minutes for the first and two minutes for the second, would be observed.

E. Resolution and documentation

11. The resolution adopted by the Council at its first special session is reproduced in chapter I of the present report.

12. Annex I contains a statement regarding the administrative and programme budget implications of the resolution adopted by the Council at its first special session.

13. Annex II contains the list of documents issued for the first special session.

F. Statements

14. At the 1st meeting, on 5 July 2006, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Mr. John Dugard, made a statement.

15. At the same meeting, statements were made by the following:

(*a*) Representatives of States members of the Council: Algeria (on behalf of the Group of African States), Azerbaijan, Bahrain, Bangladesh, Brazil, Canada, China, Cuba, Finland (on behalf of the European Union and the acceding countries, Bulgaria and Romania),

France, India, Indonesia, Japan, Malaysia, Mali, Morocco, Pakistan (on behalf of the Organization of the Islamic Conference), Russian Federation, Senegal, South Africa, Saudi Arabia, Switzerland, Tunisia (on behalf of the Group of Arab States), Uruguay, Zambia;

(*b*) Observers for concerned countries or parties: Israel, Lebanon, Syrian Arab Republic, Palestine;

(*c*) Observers for the following States: Australia, Chile, Colombia, Egypt, Iran (Islamic Republic of), Kuwait, Libyan Arab Jamahiriya, New Zealand, Nicaragua, Norway, Qatar, Sudan, United Arab Emirates, United States of America, Yemen;

(*d*) Observer for the following intergovernmental organization: League of Arab States.

16. Also at the same meeting, the representative of Pakistan moved, under rule 117 of the rules of procedure of the General Assembly, to close the debate on the item under discussion in order to begin consideration of draft resolution A/HRC/S-1/L.1.

17. The motion was adopted by the Council without a vote.

18. The President declared the closure of the debate.

G. Action on draft resolution A/HRC/S-1/L.1

Human rights situation in the Occupied Palestinian Territory

19. At the 1st meeting, on 5 July 2006, the representative of Pakistan introduced draft resolution A/HRC/S-1/L.1, sponsored by Algeria, Bahrain, Cuba, Egypt, Indonesia, Jordan, Lebanon, Malaysia, Morocco, Pakistan (on behalf of the Organization of the Islamic Conference), Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia (on behalf of the Group of Arab States) and the United Arab Emirates. Azerbaijan, Bangladesh, the Bolivarian Republic of Venezuela, the Democratic People's Republic of Korea, Djibouti, Guinea, Iraq, the Islamic Republic of Iran, the Libyan Arab Jamahiriya, Mali and Senegal subsequently joined the sponsors.

20. At the same meeting, the representative of Pakistan (on behalf of the Organization of the Islamic Conference) orally revised the draft resolution by replacing paragraph 5 with a new text.

21. Also at the same meeting, the representative of Switzerland orally amended the draft resolution by proposing the insertion of three new paragraphs following paragraph 4, to read as follows:

Urges all Palestinian armed groups to respect the rules of international humanitarian law;

Also urges all Palestinian armed groups to refrain from violence against the civilian population;

Urges those who detain the Israeli soldier to treat him humanely, in all circumstances, in conformity with the Geneva Conventions.

22. At the 2nd meeting, on 6 July 2006, the representative of Switzerland modified his proposed amendment by withdrawing the third paragraph proposed.

23. At the same meeting, the representative of Pakistan (on behalf of the Organization of the Islamic Conference) orally modified the amendment proposed by Switzerland by combining the two new paragraphs.

24. Statements in explanation of vote before the vote on the modification proposed by Pakistan (on behalf of the Organization of the Islamic Conference) were made by the representatives of the following States: Canada, Cuba, Finland (on behalf of the States members of the European Union that are members of the Council and the acceding country, Romania), the Russian Federation.

25. At the request of the representative of Switzerland, a recorded vote was taken on the modification proposed by Pakistan (on behalf of the Organization of the Islamic Conference), which was adopted by 28 votes to none, with 17 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Azerbaijan, Bahrain, Bangladesh, Brazil, China, Cuba, Ecuador, Ghana, India, Indonesia, Jordan, Malaysia, Mali, Mauritius, Mexico, Morocco, Pakistan, Philippines, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Tunisia, Uruguay, Zambia.

Against: None.

Abstaining: Cameroon, Canada, Czech Republic, Finland, France, Germany, Guatemala, Japan, Netherlands, Nigeria, Peru, Poland, Republic of Korea, Romania, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland.

26. At the same meeting, statements in connection with the draft resolution were made by the observers for Israel and Palestine.

27. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications[2] of the draft resolution.

28. Statements in explanation of vote before the vote were made by the representatives of Canada, China, Ecuador, Finland (on behalf of the States members of the European Union that are members of the Council and the acceding country, Romania), Guatemala, Peru, the Philippines and Switzerland.

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[2] Annex II contains the estimated administrative and programme budget implications of the Council resolution.

29. At the request of the representative of Finland (on behalf of the States members of the European Union that are members of the Council and the acceding country, Romania), a recorded vote was taken on the draft resolution, as orally amended and revised. The draft resolution was adopted by 29 votes to 11, with 5 abstentions (see chapter I).

30. Statements in explanation of vote after the vote were made by the representatives of Brazil (also on behalf of Argentina and Uruguay), Japan and Mexico.

31. After the adoption of the resolution, a statement was made by the representative of Pakistan (on behalf of the Organization of the Islamic Conference).

32. For the text of the resolution as adopted, see chapter I (resolution S-1/1).

ANNEXES

ANNEX I

Administrative and programme budget implications of the resolution adopted by the Council at its first special session

1. Under paragraph 6 of resolution S-1/1, the Council decided to dispatch an urgent fact-finding mission headed by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 to the occupied Palestinian territories.

2. The activity envisaged under paragraph 6 of the resolution consists of a mission of the Special Rapporteur to the occupied Palestinian territories, accompanied by four staff members of the Office of the United Nations High Commissioner for Human Rights and two Security Officers to support the mission.

3. The estimated costs for the year 2006 under section 23, Human rights, would amount to US$ 27,300.

4. No provisions have been made under the programme budget for the 2006-2007 biennium for the above activity. It is anticipated, however, that the costs could be absorbed within overall resources included in the programme budget for this biennium under section 23, Human rights.[a]

[a] See *Official Records of the General Assembly, Sixtieth Session, Supplement No. 6* (A/60/6/Add.1).

ANNEX II

List of documents issued for the first special session of the Council

Documents issued in the general series

Symbol	
A/HRC/S-1/1	Letter dated 30 June 2006 from the Permanent Representative of Tunisia to the United Nations Office at Geneva, addressed to the President of the Human Rights Council
A/HRC/S-1/2	Contribution of the World Bank to the special session on the human rights situation in the Palestinian and other occupied Arab territories
A/HRC/S-1/3	Draft report to the General Assembly on the first special session of the Council
A/HRC/S-1/SR.1-2 and A/HRC/S-1/SR.1-2/ Corrigendum	Summary records of meetings held by the Council at its first special session, and corrigendum

Documents issued in the limited series

Symbol	
A/HRC/S-1/L.1	Human rights situation in the Occupied Palestinian Territory: draft resolution

Documents issued in the non-governmental organization series

Symbol	
A/HRC/S-1/NGO/1	Written statement submitted by Amnesty International
A/HRC/S-1/NGO/2	Written statement submitted by World Vision International
A/HRC/S-1/NGO/3	Written statement submitted by United Nations Watch

Documents issued in the non-governmental organization series (concluded)

Symbol	
A/HRC/S-1/NGO/4	Joint written statement submitted by the Association for World Education and the World Union for Progressive Judaism
A/HRC/S-1/NGO/5	Written statement submitted by the International Association of Jewish Lawyers and Jurists
A/HRC/S-1/NGO/6	Written statement submitted by the International Youth and Student Movement for the United Nations and others
A/HRC/S-1/NGO/7	Written statement submitted by Human Rights Watch
A/HRC/S-1/NGO/8	Written statement submitted by the International Commission of Jurists

Part Three

Report of the Human Rights Council on its second special session

I. Resolution adopted by the Council at its second special session

S-2/1. The grave situation of human rights in Lebanon caused by Israeli military operations

The Human Rights Council,

Reaffirming the purposes and principles contained in the Charter of the United Nations,

Reaffirming also the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action, and recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and other human rights instruments,

Acknowledging that peace and security, development and human rights are the pillars of the United Nations system,

Recalling General Assembly resolution 60/251 of 15 March 2006 in which the Assembly decided that the Human Rights Council:

(*a*) Should address situations of violations of human rights, including gross and systematic violations, and make recommendations thereon; and

(*b*) Shall respond promptly to human rights emergencies,

Guided by the Charter of the United Nations, relevant human rights instruments and international humanitarian law, in particular the Hague Conventions of 1899 and 1907 on the Laws and Customs of War on Land which prohibit attacks and bombardment of civilian populations and objects and lay down obligations for general protection against dangers arising from military operations against civilian objects, hospitals, relief materials and means of transportation,

Recalling the commitments of the High Contracting Parties to the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 8 June 1977,

Reaffirming that each High Contracting Party to the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention) is under obligation to take action against persons alleged to have committed or to have ordered the commission of grave breaches of the Convention, and recalling the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity,

Emphasizing that human rights law and international humanitarian law are complementary and mutually reinforcing,

Stressing that the right to life constitutes the most fundamental of all human rights,

Condemning Israeli military operations in Lebanon, which constitute gross and systematic human rights violations of the Lebanese people,

Appalled at the massive violations of the human rights of the people of Lebanon by Israel resulting in the massacre of thousands of civilians, injuries, extensive damage to civilian infrastructure, displacement of one million people, and outflows of refugees fleeing heavy shelling and bombardment against the civilian population,

Strongly condemning the indiscriminate and massive Israeli air strikes, in particular on the village of Qana on 30 July 2006, and the targeting of United Nations peacekeepers at the United Nations observer post in southern Lebanon on 25 July 2006,

Taking note of the strong condemnation by the United Nations High Commissioner for Human Rights of the killing of civilians in Qana, her call to take measures to protect civilian lives and civilian objects and her reiteration of the need for independent investigation, with the involvement of international experts,

Noting the extreme concern expressed by the Representative of the Secretary-General on human rights of internally displaced persons, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and the Special Rapporteur on the right to food about the continuing adverse impact on the human rights and the humanitarian situation of the civilian population in Lebanon,

Emphasizing that attacks and killings of innocent civilians and the destruction of houses, property and infrastructure in Lebanon are a breach of the principles of the Charter of the United Nations, international law and international humanitarian law as well as flagrant violations of human rights,

Recognizing the urgent need to address the dire humanitarian situation in Lebanon, including through the immediate lifting of the blockade of Lebanon imposed by Israel,

Noting with concern the environmental degradation caused by Israeli strikes against power plants and their adverse impact on health,

Concerned at the targeting of the communication and media networks in Lebanon,

Outraged at the continuing senseless killings by Israel, with impunity, of children, women, the elderly and other civilians in Lebanon,

1. *Strongly condemns* the grave Israeli violations of human rights and breaches of international humanitarian law in Lebanon;

2. *Condemns* the massive bombardment of Lebanese civilian populations, especially the massacres in Qana, Marwaheen, Al Duweir, Al Bayadah, Al Qaa, Chiyah, Ghazieh and other towns of Lebanon, causing thousands of deaths and injuries, mostly among children and women, and the displacement of one million civilians, according to a preliminary assessment, thus exacerbating the magnitude of the human suffering of the Lebanese;

3. *Also condemns* the Israeli bombardment of vital civilian infrastructure resulting in extensive destruction and heavy damage to public and private properties;

4. *Calls upon* Israel to abide, immediately and scrupulously, by its obligations under human rights law, in particular the Convention on the Rights of the Child, and international humanitarian law;

5. *Urges* all concerned parties to respect the rules of international humanitarian law, to refrain from violence against the civilian population and to treat under all circumstances all detained combatants and civilians in accordance with the Geneva Conventions of 12 August 1949;

6. *Calls upon* Israel to stop immediately military operations against the civilian population and civilian objects resulting in death and destruction and serious violations of human rights;

7. *Decides* to establish urgently and immediately dispatch a high-level commission of inquiry comprising eminent experts on human rights law and international humanitarian law, and including the possibility of inviting the relevant United Nations special procedures to be nominated to the Commission:

(*a*) To investigate the systematic targeting and killings of civilians by Israel in Lebanon;

(*b*) To examine the types of weapons used by Israel and their conformity with international law;

(*c*) To assess the extent and deadly impact of Israeli attacks on human life, property, critical infrastructure and the environment;

8. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all administrative, technical and logistical assistance required to enable the Commission of Inquiry to fulfil its mandate promptly and efficiently;

9. *Calls upon* the international community urgently to provide the Government of Lebanon with humanitarian and financial assistance to enable it to deal with the worsening humanitarian disaster, rehabilitation of victims, return of displaced persons and restoration of the essential infrastructure;

10. *Requests* the Commission of Inquiry to report to the Council no later than 1 September 2006 on progress made towards the fulfilment of its mandate.

3rd meeting
11 August 2006

[Resolution adopted by a recorded vote of 27 to 11, with 8 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Azerbaijan, Bahrain, Bangladesh, Brazil, China, Cuba, Ecuador, India, Indonesia, Jordan, Malaysia, Mali, Mauritius, Mexico, Morocco, Pakistan, Peru, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Tunisia, Uruguay, Zambia.

Against: Canada, Czech Republic, Finland, France, Germany, Japan, Netherlands, Poland, Romania, Ukraine, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Cameroon, Gabon, Ghana, Guatemala, Nigeria, Philippines, Republic of Korea, Switzerland.

See chapter II.]

II. Organization of work of the second special session

1. Pursuant to paragraph 10 of General Assembly resolution 60/251 of 15 March 2006, the Council "shall be able to hold special sessions, when needed, at the request of a member of the Council with the support of one third of the membership of the Council".

2. By a letter dated 7 August 2006, addressed to the President of the Human Rights Council (A/HRC/S-2/1), the Permanent Representative of Tunisia to the United Nations Office at Geneva, on behalf of the Group of Arab States and the Organization of the Islamic Conference, requested that a special session of the Council be convened immediately "to consider and take action on the gross human rights violations, by Israel in Lebanon, including the Qana massacre, the country-wide targeting of innocent civilians and the destruction of vital civilian infrastructure".

3. The letter, received by the President on the same day, was accompanied by signatures in support of the above-mentioned request from the following 16 States members of the Council: Algeria, Azerbaijan, Bahrain, Bangladesh, China, Cuba, Indonesia, Jordan, Malaysia, Morocco, Pakistan, Russian Federation, Saudi Arabia, Senegal, South Africa, Tunisia.

4. As more than one third of the membership of the Council supported the above-mentioned request, the President, following consultations with interested parties, decided to convene a special session of the Council on 11 August 2006.

5. Following the decision of the President, which was communicated to all permanent missions in Geneva by note verbale dated 8 August 2006, the following seven States members of the Council added their signatures in support of the request for a special session: Argentina, Brazil, India, Mali, Philippines, Sri Lanka, Uruguay.

A. Opening and duration of the session

6. The Council held its second special session at the United Nations Office at Geneva on 11 August 2006. It held three meetings (see A/HRC/S-2/SR.1-3)[1] during the session.

7. The special session was opened by the President of the Council, Mr. Luis Alfonso de Alba.

B. Attendance

8. The special session was attended by representatives of States members of the Council, observers for non-member States of the Council, observers for non-member States of the United Nations and other observers, as well as observers for United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations.

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[1] Summary records of each of the meetings are subject to correction. They are considered final with the issuance of a consolidated corrigendum (A/HRC/S-2/SR.1-3/Corrigendum).

C. Officers

9. At its first session, the Council had elected the following officers, who also served as officers for the second special session:

President:	Mr. Luis Alfonso de Alba (Mexico)
Vice-Presidents:	Mr. Tomáš Husák (Czech Republic) Mr. Mohammed Loulichki (Morocco) Mr. Blaise Godet (Switzerland)
Vice-President and Rapporteur:	Mr. Musa Burayzat (Jordan)

D. Organization of work

10. The Council accepted the recommendation of its officers that the speaking-time limits would be five minutes for statements by States members of the Council and concerned countries, and three minutes for statements by observers for non-member States of the Council and other observers, including United Nations entities, specialized agencies and related organizations, intergovernmental organizations and other entities, national human rights institutions and non-governmental organizations. The Council also accepted the recommendation of its officers that the list of speakers would be drawn up in chronological order of registration and that the order of speakers would be as follows: States members of the Council, followed by concerned countries, then by observers for non-member States of the Council and other observers.

11. The Council further accepted the recommendation of the officers that, with regard to statements in exercise of the right of reply, a limit of two statements per delegation for the entire session, of five minutes' duration for the first and of three minutes for the second, would be observed.

E. Resolution and documentation

12. The resolution adopted by the Council at its second special session is reproduced in chapter I of the present report.

13. Annex I contains a statement regarding the estimated administrative and programme budget implications of the resolution adopted by the Council at its second special session.

14. Annex II contains a list of documents issued for the second special session.

F. Statements

15. At the 1st meeting, on 11 August 2006, the United Nations High Commissioner for Human Rights, Ms. Louise Arbour, made a statement.

16. At the same meeting, and at the 2nd meeting, on the same day, statements were made by the following:

(*a*) Representatives of States members of the Council: Algeria (also on behalf of the Group of African States), Argentina, Bahrain, Bangladesh, Brazil, Canada, China, Cuba,

Ecuador, Finland (on behalf of the European Union and acceding countries – Bulgaria and Romania – as well as Ukraine), India, Indonesia, Jordan, Malaysia, Mali, Morocco, Pakistan (on behalf of the Organization of the Islamic Conference), Philippines, Russian Federation, Senegal, Saudi Arabia, Switzerland, Tunisia (on behalf of the Group of Arab States), Uruguay, Zambia;

(*b*) Observers for concerned countries: Israel, Lebanon;

(*c*) Observers for the following States: Armenia, Australia, Belarus, Chile, Colombia, Democratic People's Republic of Korea, Egypt, Iran (Islamic Republic of), Kuwait, Libyan Arab Jamahiriya, Mauritania, New Zealand, Norway, Qatar, Sudan, Syrian Arab Republic, United Arab Emirates, United States of America, Venezuela (Bolivarian Republic of), Yemen;

(*d*) Other observers: Holy See; Palestine;

(*e*) Observer for the following intergovernmental organization: League of Arab States;

(*f*) Observers for the following non-governmental organizations: Amnesty International, B'nai B'rith International (also on behalf of the Coordinating Board of Jewish Organizations), Franciscans International, Habitat International Coalition, Human Rights Watch, Indian Movement Tupaj Amaru (also on behalf of the World Peace Council), International Association of Democratic Lawyers, International Commission of Jurists, International Federation of Human Rights Leagues, United Nations Watch, Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs and International Movement of Catholic Students), World Jewish Congress, World Organization Against Torture, World Union for Progressive Judaism.

17. Also at the 2nd meeting, statements in exercise of the equivalent of the right of reply were made by the observers for Lebanon and the Syrian Arab Republic.

G. Action on draft resolution A/HRC/S-2/L.1

The grave situation of human rights in Lebanon caused by Israeli military operations

18. At the 3rd meeting, on 11 August 2006, the representative of Pakistan (on behalf of the Organization of the Islamic Conference) introduced and orally revised draft resolution A/HRC/S-2/L.1, sponsored by Afghanistan, Algeria, Bahrain, Bangladesh, Egypt, Guinea, Indonesia, the Islamic Republic of Iran, Jordan, Kuwait, Kyrgyzstan, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Morocco, Pakistan, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia, as well as Palestine. The Bolivarian Republic of Venezuela, Cuba, the Democratic People's Republic of Korea, Mali, Mauritania, Senegal, the United Arab Emirates, Uzbekistan, and Yemen subsequently joined the sponsors.

19. Statements in connection with the draft resolution were made by the observers for Israel and Lebanon.

20. Statements in explanation of vote before the vote were made by the representatives of Canada, Finland (on behalf of the members of the European Union that are States members of the Council, and Ukraine), Guatemala, India, the Philippines, the Republic of Korea, the Russian Federation and Switzerland.

21. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications[2] of the draft resolution.

22. At the request of the representative of Canada, a roll-call vote was taken on the draft resolution, as orally revised. The draft resolution was adopted by 27 votes to 11, with 8 abstentions (see chapter I).

23. Statements in explanation of vote after the vote were made by the representatives of Cameroon, France, Japan, Mexico and Peru (also on behalf of Argentina, Brazil, Ecuador and Uruguay).

24. After the adoption of the resolution, a statement was made by the representative of Pakistan (on behalf of the Organization of the Islamic Conference).

25. For the text of the resolution as adopted, see chapter I (resolution S-2/1).

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[2] Annex I contains the estimated administrative and programme budget implications of the Council's resolution.

ANNEXES

ANNEX I

Administrative and programme budget implications of the resolution adopted by the Council at its second special session

1. In paragraphs 7, 8 and 10 of resolution S-2/1, the Council decided:

(a) To establish urgently and immediately dispatch a high-level commission of inquiry comprising eminent experts on human rights and international humanitarian law including the possibility of inviting the relevant United Nations special procedures to:

(i) Investigate the systematic targeting and killing by Israel of civilians in Lebanon;

(ii) Examine the types of weapons used by Israel and their conformity with international law;

(iii) Assess the extent and deadly impact of Israeli attacks on human life, property, critical infrastructure and environment;

(b) To request the Secretary-General and the United Nations High Commissioner for Human Rights to provide all administrative, technical and logistical assistance required to enable the Commission of Inquiry to fulfil its mandate promptly and efficiently;

(c) To request the Commission of Inquiry to report to the Council no later than 1 September 2006 on progress made towards the fulfilment of its mandate.

2. Total full costs of the activities envisaged would amount to US$ 417,800 under section 23, Human rights, of the programme budget for the 2006-2007 biennium.[a]

3. It will be recalled that under the procedures established by the General Assembly in its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under this procedure, if additional expenditures are proposed that exceed the resources available from the contingency fund, the activities concerned can be implemented only through the redeployment of resources from low-priority areas or the modification of existing activities. Otherwise, such additional activities must be deferred to a later biennium.

4. The additional provisions cannot be met from the contingency fund, as other activities in the 2006-2007 biennium charged against the fund are expected to exhaust the contingency fund prior to the sixty-first session of the General Assembly. It is not possible at this stage to identify activities under section 23, Human rights, of the programme budget for the 2006-2007 biennium

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[a] See *Official Records of the General Assembly, Sixtieth Session, Supplement No. 6* (A/60/6/Add.1).

that could be curtailed, deferred, terminated or modified in order to meet the net additional requirement of US$ 417,800 although preliminary review leads the Secretariat to assume that some absorption of the estimated requirements is possible. The Secretariat will seek in the coming months to identify areas from which resources can be redeployed to meet the requirements for the Commission of Inquiry in the 2006-2007 biennium. At the time the Assembly reviews the question of the Commission of Inquiry at its sixty-first session, it is anticipated that sufficient time would have elapsed to be able to inform the Assembly of how to meet the additional requirements.

ANNEX II

List of documents issued for the second special session of the Council

Documents issued in the general series

Symbol	
A/HRC/S-2/1	Letter dated 7 August 2006 from the Permanent Representative of Tunisia to the United Nations Office at Geneva, addressed to the President of the Human Rights Council
A/HRC/S-2/2	Draft report of the Council to the General Assembly on its second special session
A/HRC/S-2/SR.1-3 and A/HRC/S-2/SR.1-3/ Corrigendum	Summary records of meetings held by the Council at its second special session, and corrigendum

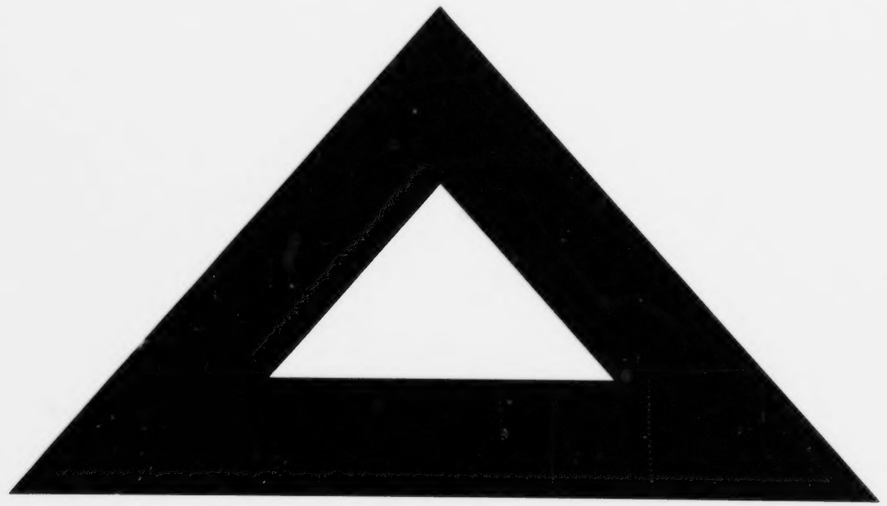
Documents issued in the limited series

Symbol	
A/HRC/S-2/L.1	The grave situation of human rights in Lebanon caused by Israeli military operations: draft resolution

Documents issued in the non-governmental organization series

Symbol	
A/HRC/S-2/NGO/1	Written statement submitted by B'nai B'rith International
A/HRC/S-2/NGO/2	Written statement submitted by the Cairo Institute for Human Rights Studies
A/HRC/S-2/NGO/3	Written statement submitted by the World Union for Progressive Judaism
A/HRC/S-2/NGO/4	Written statement submitted by Human Rights Watch
A/HRC/S-2/NGO/5	Written statement submitted by the BADIL Resource Center for Palestinian Residency and Refugee Rights

Documents issued in the non-governmental organization series (concluded)

Symbol	
A/HRC/S-2/NGO/6	Written statement submitted by Amnesty International
A/HRC/S-2/NGO/7	Written statement submitted by United Nations Watch
A/HRC/S-2/NGO/8	Written statement submitted by the World Jewish Congress
A/HRC/S-2/NGO/9	Written statement submitted by the Arab NGO Network for Development
A/HRC/S-2/NGO/10	Written statement submitted by World Vision International
A/HRC/S-2/NGO/11	Written statement submitted by the Habitat International Coalition

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